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**LONDON PRISONS
OF
TODAY AND YESTERDAY**

By the Same Author

JUDICIAL WISDOM OF MR. JUSTICE
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LONDON PRISONS OF TODAY AND YESTERDAY

Plain Facts and Coloured Impressions

BY

ALBERT CREW

*of Gray's Inn, The Middle Temple,
The Central Criminal Court and
The South-Eastern Circuit*
BARRISTER-AT-LAW

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THIS BOOK IS
DEDICATED
TO
HOLMAN GREGORY, K.C.
COMMON SERJEANT OF THE CITY OF LONDON
TREASURER OF THE MIDDLE TEMPLE
BY
ALBERT CREW
A MEMBER OF THE MIDDLE TEMPLE

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PREFACE

PUBLIC opinion in regard to life in prison is usually ill-informed as to the facts and exaggerated as to the conditions. One view commonly held is that prison is a "heyhouse" or hateful place, the interior of which should be judged by the impressions that are conveyed by its grim and forbidding walls. The other view is that it is a place of comfort and restfulness where good food, lodging and even entertainment are provided free by a benevolent Government. Neither of these views seems to be warranted by the personal investigations of the author.

Any place where men or women are kept without liberty of action must necessarily be unpleasant, and prison certainly is not a comfortable place. Ignorance or exaggeration of modern prison conditions is apparently due to the fact that law-abiding citizens have no desire to make the acquaintance of a place which is depressing and unpleasant to the average person with any imagination, and are content to hurry past the gloomy portals and walls of the prison without thought or care for their fellow-creatures incarcerated therein.

Even Judges, stipendiary magistrates and others who administer criminal justice rarely visit a prison, and are thus supremely ignorant of prison life. A distinguished criminal Judge some time ago paid his first visit to a London prison, when he was surprised to hear that although he had sentenced hundreds of

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men to terms of imprisonment with hard-labour, in fact hard-labour was never inflicted. The term "hard-labour" only means that the prisoner, if medically fit, and under 60 years of age, is deprived of a mattress and sleeps on a plank-bed the first fourteen days of his imprisonment. Otherwise there is no essential difference between imprisonment with and without hard-labour.

This Judge would probably have been astounded if he were told, as a fact, that the most popular and coveted activity in prison is that of real hard-labour. Hard-labour is indeed welcomed ; it provides ample work to pass the long hours away and is much preferred to a sedentary occupation, e.g. the sewing of mail-bags, which is somewhat monotonous and uninteresting.

This book endeavours to present the plain facts and impressions—the latter naturally coloured by the sympathies and prejudices of the author—concerning the life and daily round of prisoners today, and endeavours to give a true and faithful picture of what a prison is like now, as compared mainly with that of the nineteenth century, when prisons first began to be organised and controlled.

Formerly a prison was a grim and terrible place where cruelty, neglect and barbarity were rampant and dominant, and where its unfortunate inmates were treated as brutal beasts which had no understanding, or as helpless slaves who had to be punished.

Today a prison may be regarded as a sort of hospital for social misfits, the chief aim of which is the reformation of the prisoner, so that when he goes out into the larger world again he may have a fair

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chance of resuming life and work without loss of self-respect, and without any undue retention of bitterness.

The author as the result of some hundred visits to London prisons—Holloway, Pentonville, Wormwood Scrubs, Wandsworth and Brixton—has personally investigated every intimate phase of prison life and has endeavoured to record in this book what prison life is really like, its social life and amenities, its food and discipline, its sorrows and joys, and even its humours.

Prison, in a way today, is a sort of socialistic community where life, work, food and even leisure are governed and controlled by the State, where the same treatment is democratically meted out to all confined within its walls, whether he be peer or peasant ; and where the way of the transgressor is not made too hard, so that he may be induced to try again to live honestly and peaceably with his neighbours, when he leaves its portals once more as a free man.

It may be of interest shortly to contrast prisons before and during the nineteenth century. Prisons before the nineteenth century were primarily designed for the secure detention of the prisoner, and apart from deprivation of his liberty, he was free to do as he liked. No provision was made for his food, comfort, lodging, or even for the supply of water. All classes of prisoners were kept together and there was, frequently, no separation of the sexes. The story of Newgate in Chapters IV and V endeavours to give a picture of what prison conditions were like before Elizabeth Fry and John Howard effectively showed the authorities what an appalling place a prison was.

The prison of the nineteenth century was charac-

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perversities and inconsistencies of human nature, and the question of punishment and reformation of the convicted are full of difficulty.

The reason for the existence of motor bandits often appears to be the desire for adventure without the means to exercise it in a legitimate way. Such men, at other times, might help to win an empire for a country, but in these days of unemployment their idle hands are left itching for such mischief as the devil may find for them to do.

Prisoners may roughly be divided into six classes : the first offender ; the " mental " prisoner ; the almost irreclaimable recidivist ; the professional criminal ; the " Borstal " boy, and the casual criminal, who commits petty crime and who forms the bulk of the prison population.

Many Judges refrain from sending a man or woman to prison for a genuine first offence unless the charge is a serious one, for the prison taint is a serious handicap to subsequent employment, and often a real criminal career in the past has commenced with a first harsh and unnecessary term of imprisonment.

The person who commits a crime, who is of weak or unstable mind, but is not certifiable as of unsound mind, is a grave problem which is not solved by merely sending him to prison. In future, it is thought that separate institutions will have to be provided for such unfortunate persons who are not really criminals. This matter is now receiving the careful consideration of the Prison Commission. As regards recidivists, many of them are irreclaimable, they make good prisoners in prison, but bad citizens outside. The problem of the recidivist prisoner bristles with

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difficulties. Unemployment on discharge from prison often drives a man to crime again, and it is difficult for a discharged prisoner to get honest work when the labour market is overcrowded with honest and deserving citizens. Of the 50,000 men admitted to prison during 1932, the majority were for crimes of housebreaking, petty larceny or robbery—crimes which tend to increase or decrease as unemployment rises or falls. Two out of every three of those men were under 30 years of age ; in many cases these were driven to crime by circumstances and consequently have less hope of finding employment after they come out of prison than before they went in. Prisoners are often told by Judges that they have no need to commit crime, since public assistance may be given, either in financial help, or in board and lodging at a workhouse by the poor law authorities. But, odd as it appears, it is the view of many prisoners, that going to a workhouse casts a social stigma on their character greater than that of prison ; they prefer prison to the workhouse. A prisoner has well-defined privileges and rights, and he sees that he gets them either by appeal to the Governor or to the Home Secretary. But in the workhouse there are apparently no such similar privileges and rights.

This dislike of the poor law and all its ways is borne out by actual experience in the Courts. The Common Serjeant of the City of London (Holman Gregory, K.C.), on several occasions has had criminals before him who have spent some 40 years in prison. On the jury convicting a prisoner for being a habitual criminal (which may mean a minimum sentence of three years' penal servitude and five years' preventive

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detention), he has more than once, before sentence, asked whether the prisoner in the dock would go to a workhouse, instead of being sent to prison ; and the reply has invariably been in the negative. Thus the law must take its course and the recidivist still remains a problem difficult to solve.

Popular opinion seems definitely against any measure for making the lot of the prisoner happier or easier ; indeed, it appears rather to regard prison merely as a place of punishment. This is probably due to the fact that the Press usually records in its pages only the sensational crimes which excite public feeling and indignation. When a law-abiding citizen reads of a brutal murder, a dreadful outrage on a little girl, robbery with violence, "moral" murder by a blackmailer, and of the financial crook who has robbed the widow and orphan, his sympathies are entirely with the victims, and he hopes that the way of the transgressors will indeed be made hard and severe. But in truth, a large number of crimes are of a petty, sordid nature, comprising larceny, housebreaking, burglary, ordinary assaults, sexual offences, and the like, committed by men owing to stress of circumstances, or of temptation. The casual criminal, e.g. the dishonest postman, the defaulting clerk, the pilfering servant, the coiner, the bigamist and others who commit crimes occasionally, and often only once, belong to the class which may be reformed and become law-abiding citizens again. These often respond to the stern and severe lesson of imprisonment, always provided that they can in a way preserve their self-respect whilst undergoing their prison experience, have a reasonable opportunity of obtain-

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ing work when they leave the prison, and thus have some hope for the future. Prisoners, even apparently irreclaimable recidivists, after all, are human beings and fellow creatures, and should be treated as such, and not as social outcasts or pariahs.

A large number of authorities have been consulted, a full list of which is given in a bibliography. Here may be particularly mentioned *The English Prison System of Today*, by Sir Evelyn Ruggles-Brise, K.C.B., a sane and illuminating study; *The Menace in our Midst*, by Christmas Humphreys, which is a provocative and stimulating study of crime and criminals, and *Recollections of a Prison Governor*, by Lieut.-Colonel C. E. F. Rich. Short descriptions of the latter two books, written by the author, and originally published in the *Law Journal*, are included in the Appendix by permission, under the titles of "Brimstone and Treacle" and "Brimstone Without Treacle."

The author is greatly indebted to Archibald Forman, B.A. (Oxon), M.C. (the author of *From Baltic to Black Sea*, which contains an interesting description of Russian prisons or isolators), for valuable assistance, sound advice, and literary criticism in writing this book.

Although the author has had the utmost facilities from the Prison Commission for his prison investigations, it must be clearly understood that he alone is responsible for the facts, views and impressions, and that the Prison Commissioners have no official or unofficial connection with this book in any way whatsoever. He is exceedingly grateful to the Prison Commissioners, especially to its Chairman, H. R. Scott, C.B., for the invariable courtesy and assistance ex-

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tended to him, and to the prison Governors and prison staffs for the fortitude, patience and kindness which he always received on his visits to the prisons.

The comprehensive index is the work of the author's clerk, Mr. G. E. Mead, who has also seen the book through the press.

A. C.

3, PLOWDEN BUILDINGS,
THE TEMPLE, E.C.4.
Michaelmas Day, 1933.

PART I
INTRODUCTION

CHAPTER I

THE PURPOSES OF CRIMINAL JUSTICE

PUNISHMENT as regards criminal justice has four aims in view : (a) deterrence ; (b) prevention ; (c) reformation ; and (d) retribution. It is often suggested that deterrence is the essential and primary object of punishment, and that the chief end of criminal justice is to make the wrongdoer an example and a warning to all that are like-minded with him. Punishment endeavours to prevent offences by making all wrongdoing, which is injurious to others, also injurious to the doer of them, by making every offence an ill bargain to the offender, and by making the way of the transgressor very hard and unpleasant ; in other words, to put the fear of God and also the fear of his fellow-men in the hearts of those who fall foul of their country's laws.

Flogging, it is said, is a powerful deterrent to criminals who commit acts of violence in their crimes. On the other hand, it may equally be averred that flogging is a degrading and brutalising punishment, both to those who suffer it and to those who inflict it, unfitting a man to live an ordinary normal life on his return to civil life. Flogging has elements of unfairness in its infliction, e.g. women, in any event, and men of poor physique are obviously and naturally never flogged, whatever the nature and character of their crimes.

The prevention of crime is sought to prevent a

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repetition of wrongdoing by the disablement of the offender. Murderers are hanged, it is said, not merely to deter others from committing homicide but for the same reason for which we get rid of vermin, because it is better that they should be out of the world than in it. Public opinion is rapidly coming to the view that there should be degrees of murder, and that only murders of the first degree should be punished by death, as in the cases of Browne and Kennedy, Seddon and Rouse.

Statute already has abolished the death penalty in the case of young persons and expectant mothers. The Children and Young Persons Act, 1932, s. 19 (2), enacts that "sentence of death shall not be pronounced or recorded against any person under the age of eighteen years," and by the Sentence of Death (Expectant Mothers) Act, 1931, s. 1, "where a woman convicted of an offence punishable with death is found in accordance with the provisions of this Act to be pregnant, the sentence to be passed on her shall be a sentence of penal servitude for life instead of sentence of death."

It may be that *crimes passionelles* will some day be treated as mental cases, demanding imprisonment rather than death.

The modern view of prison is, that it should be regarded as a place of reformation rather than of punishment. The punishment consists of the deprivation of liberty, the deadly monotony of life and food, the unpleasant associations with other prisoners, and the loss of reputation which a sentence of imprisonment invariably takes away.

Reformation should be the aim and object of

THE PURPOSES OF CRIMINAL JUSTICE

prisons, especially in the case of first offenders. A prison, in a way, should be a sort of hospital rather than a place of punishment. This is exemplified in Holloway and Wormwood Scrubs. Criminal anthropology endeavours to identify crime with disease and would consider the prisoner rather as a patient than a criminal. The question of insanity or low mental ability of a prisoner is a factor that cannot be neglected, and it may be that in the future the medico-legal expert will have even greater influence than he has at present.

Even today, it is a common practice for criminal courts of justice, in cases of women charged with a first offence, to remand them in custody so that a report may be obtained from the prison doctor as to their mental condition. This also has a deterrent effect in that the accused person obtains some experience of the atmosphere and life of prison. There is a constant war between two classes of opinion as to whether punishment should be mainly deterrent or reformatory. The important question always to bear in mind is, that sooner or later a prisoner must be discharged and must take his place as an ordinary citizen in normal life. Prison life, therefore, it seems, should treat a prisoner in such a way that when he regains his liberty he may be fit and desirous of leading a new life with some hope and confidence. Capital punishment from this point of view is, especially in cases of murder of the first degree, a fitting penalty, because the condemned man will not have to associate with the world in general after his punishment; flogging and birching are often relics of barbarism and, as already has been said, have a

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tendency to brutalise and degrade a man, thus unfitting him for return to civil life.

The suggestion that if criminals are sent to prison in order to be transformed into good citizens by physical, intellectual and moral training, prisons will become too comfortable to serve as an effectual deterrent to those who may be potential criminals, is not borne out by experience. As has been already stated, the mere incarceration in a prison is a severe punishment and it is the experience of the prison administration of Wormwood Scrubs, where first offenders only are confined, that only 10 per cent. revert to crime after release. This result, it is opined, is largely due to the fact that the administration of this prison is conducted chiefly on reformatory lines. There are, of course, men and women who are perhaps incurably bad and with whom crime is not so much a bad habit as an ineradicable instinct. These, it is suggested, form a small minority. Many crimes are due to the weakness of our social and economic conditions, and the existence of prisons is somewhat indicative of the failure of our modern civilisation and religion.

It is sometimes said that to a large extent criminals are not normal and healthy human beings, and that crime is in a great measure the product of physical and mental abnormality and degeneracy. For that reason it is advocated that a system of criminal justice should be based on a sterner principle than that of reformation, which seems indefensible.

The doctrine, that the more efficient the coercive action of the State becomes, the more successful it is in restraining all normal human beings from the

THE PURPOSES OF CRIMINAL JUSTICE

dangerous paths of crime, and the higher becomes the proportion of degeneracy among those who break the law, can only be accepted with many limitations. If it be true that the proportion of disease and degeneracy among criminals is so great, it follows, it is suggested, that the reformatory function of punishment should prevail over and, in a great measure, exclude its deterrent and coercive functions.

It is curious that those who advocate that prison should be deterrent rather than reformatory make an exception in regard to youthful offenders, when they say that the chances of effective reformation are greater than in that of adults ; this does not appear to be borne out by actual prison experience, where in cases of criminals serving their first term of imprisonment, it is found at Wormwood Scrubs that some 50 per cent. of youthful criminals return to crime and only some 10 per cent. in the case of adults.

The view that by the rigour of penal discipline the fate of a prisoner should be made a terror and a warning to himself and others is purely Victorian and seems to lack humanity, imagination and experience, and is a confession of despair.

It now remains to consider briefly punishment as a retribution on the principle laid down in Deuteronomy : "Thine eye shall not pity ; but life shall go for life, eye for eye, tooth for tooth, hand for hand, foot for foot." This conception of retribution still retains a prominent place in popular thought and opinion and is responsible for the view that flogging should be extended to motor bandits and others, forgetful of the fact that motor banditry is often due to the indifference and neglect of the community itself.

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Some solution of the difficult question of unemployment and a greater restriction on the right to leave unattended motor-cars would greatly reduce the ranks of motor banditry, many of whom regard such acts as adventures rather than as crimes.

CHAPTER II

THE ENGLISH PRISON SYSTEM OF TODAY ¹

ONE of the most beneficent Acts of Parliament was the Prison Act of 1877, which established the Prison Commission. This put all prisons under the direct control of Parliament through the Home Secretary and administered by the Prison Commission. Among the many distinguished and enlightened Chairmen of this Commission one of them, Sir Evelyn Ruggles-Brise, K.C.B., in 1915 prepared a short account of the history of the leading features of English prisons of today, full of illumination and humanity. It may therefore be of interest to record here, in a very summary way, what were his views and opinions.

A prison should, as far as possible, be reformatory, not overlooking that it must also be punitive ; coercive as restraining liberty, deterrent as an example and retributory in the sense of enforcing a penalty for an offence. Whilst inflicting punishment for an anti-social act, the duty of restoring the offender to society as a better man or woman must not be lost sight of.

It is conceded that society without a collective determination to resent and punish anti-social acts would be a welter of anarchy and disorder. Punish-

¹ See *The English Prison System*, by Evelyn Ruggles-Brise, Chairman of the Prison Commission, 1921.

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ment, it is suggested, is the assertion of the system of right by pain or penalty—not pain in its physical sense, but pain that comes from degradation and the loss of self-respect. A humane administration will try to mitigate the loss of respect, the blow to pride and the respect of one's fellow-creatures, which prison inevitably entails.

The primary function of a prison is to secure and maintain obedience and discipline, order and the habit of industry.

Discipline in the past was enforced by cruelties, e.g. the dark cell, floggings, treadwheels and the provision of useless and monotonous labour. It is now recognised that the worst criminal possesses reversionary rights of humanity, and by acknowledging these, it is possible that a man might be reformed by punishment and not thrown back into the world, with only one desire to avenge himself for the cruelties which society, through the prison, has inflicted upon him. Religion plays an important part in the reformation of the prisoner, aided by the social organisations, the lectures, the educational classes, and visits of the unofficial visitor. Prior to 1898 the universal and rigid law of silence prevailed.

The Prison Act of 1898 provided that the privilege of talking may be given after a certain period, as a reward for good conduct on certain days for a limited time and under reasonable supervision, to such long-sentenced prisoners as have conducted themselves well, and who desire the privilege and are not deemed unsuitable for it.

An important factor in prison life is the personality and tone of the Governor and his staff, which in these

days truly combine discipline and firmness with kindness and humanity.

The aim of the modern prison is to teach that, by good behaviour and industry, a prisoner is rewarded by being promoted to higher grades with increased privileges and comfort, until in the final stage he is placed on his honour and is employed in positions of trust, free from supervision and even outside the prison walls.

In this way, the re-entry into free life is facilitated ; semi-liberty precedes full liberty, and by breaking the abruptness of the change, resettlement under normal conditions is achieved.

Prison reform should proceed in three directions :

1. Organisation and extension of the probation system.

Power is given under the Probation of Offenders Act, 1907,¹ to release an offender on probation without proceeding to conviction. The offender is placed under the supervision of a probation officer and he must enter into a recognisance to be of good behaviour for three years.

2. Application of the principles of preventive detention to the penal servitude system.

At present, a sentence of not less than three years' penal servitude must be inflicted before a person can be sentenced to preventive detention, which is only provided for habitual criminals. In preventive detention a person can by good conduct and industry obtain certain privileges, e.g. association at meals, smoking, the use of newspapers, and a small wage not exceeding 3*d.* a day, part of which can be ex-

¹ As amended by the Criminal Justice Act, 1925.

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pendent in the purchases of articles of comfort from the canteen. A considerable relaxation of discipline and supervision is allowed, so that each man may be tested as to his fitness for re-entry into free life. The application of the principle of preventive detention to the penal servitude system would apparently involve the question of the indeterminate sentence as exemplified in South Africa (see p. 195).

3. Co-ordination of all organised effort with a view to the prevention of crime.

In the reign of Elizabeth and James I, houses of correction were first established for every county, now called since 1865 local prisons. Convict prisons are places of detention for a person sentenced to penal servitude.

In local prisons in the twentieth century, reforms are in the direction of concentrating efforts on the young and incipient criminal ; improved classification and the separation of first from other offenders and the abolition of the old forms of useless and unproductive hard-labour, e.g. cranks, treadwheels.

Hard-labour now, in fact, apart from the first fortnight of the use of a plank bed instead of a mattress, means that a prisoner works in cellular separation for the first 28 days of his sentence, after which period he may work with the rest in association in workrooms.¹ Associated labour on productive work is now the rule of local prisons.

The Prison Act, 1898, created a triple class of offenders, power being given to the Courts to direct the treatment in one or other of the divisions having regard to the nature of the offence and the character

¹ This working in cellular separation has now been abolished.

and antecedents of the offender. This Act also gave power to enable a person sentenced to imprisonment in default of fine to obtain his release on part payment of a fine.

Corporal punishment is now limited by this Statute for acts of gross personal violence to prison officers, for mutiny or incitement to mutiny, and then only to persons convicted of felony or sentenced to hard labour. But a sentence of corporal punishment cannot be inflicted unless imposed by a tribunal of three persons, two of whom must be magistrates, and the order must be confirmed by the Home Secretary. Prisoners whose sentence is for over one month may earn a remission of a portion of their imprisonment, not exceeding one-sixth of the whole sentence, by special industry and good conduct.

The many and varied educative, moral and religious influences in prison are stated at length in Part II of this book. Two phases of prison amenities are the debate and weekly reading of current news. At the debates, the proceedings are conducted on normal lines as outside, and as long as due order is obtained, there is no objection to the expression of natural feelings. The objects of these debates is not merely educational, but psychological, providing healthy thought and mental stimulus during solitary hours and so tend to prevent morbid introspection, or brooding or worrying over wrongs.

Every week a short résumé of the week's news is given by the Governor or Chaplain. This practice has been found to react favourably on the temper and attitude of prisoners towards authority, as show-

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ing that it is not desired to exclude them, though prisoners, from the outside world.

One of the greatest innovations of prison life is the change that has taken place in the system of labour from hard useless labour to productive labour. In the early days of the convict system, employment was provided on public works, e.g. breakwater at Portland. This greatly facilitated the purpose of prison administration by affording the means for carrying into effect the object of a sentence of penal servitude. This object was to create a deterrent effect on the prisoner himself by the execution of a hard day's work, to develop his intelligence by his employment on interesting and productive labour, and to give facilities for acquiring a knowledge of all those trades which the construction of such works involved ; and also incidentally to recoup the cost of maintaining the prisoners. It has, however, never been an axiom of prison administration that all prison labour shall be remunerative, or that the primary object of a prison was to make it self-supporting ; thus the principle of competition with free labour was not admitted on such a scale that reasonable ground of complaining could arise as to undue interference with the outside market. There has apparently been no change of this general policy up to the present time. Wormwood Scrubs was built entirely by convict labour between 1874 and 1890, with cellular accommodation for 1,418 prisoners. In 1912-13 the value of labour in convict prisons was £63,000, more than half being obtained from building and quarrying work, the rest being divided between manufactured goods, farm and domestic work.

THE ENGLISH PRISON SYSTEM OF TODAY

Quarrying stone at Portland and Dartmoor and reclaiming land for farming purposes is still carried on. The general scheme of work at both convict and local prisons is the same, e.g. tailoring, smithing, shoemaking, bricklaying, carpentry and other trades, and is adapted to the general principle of associated labour which applies to men and women.

The oakum trade towards the end of the nineteenth century collapsed owing to the substitution of iron and steel for wood in the building of ships. Separate or cellular labour except for short periods has practically disappeared, and the idea that separate confinement was desirable, on the ground that it enables the prisoner to meditate on his misdeeds, has been virtually abandoned. Association for industrial labour is now the general rule and the articles made are chiefly for Government departments or for prison service. The view that all gratuities earned by prisoners (which are very small), instead of being given to the prisoner before or after discharge, should be allocated to philanthropic prison agencies, e.g. Discharged Prisoners' Aid societies, Church Army and other religious organisations, seems, to the author, rather unsound, as tending to weaken a prisoner's self-respect and independence. The gratuity system, however, still remains in force and is chiefly confined to prisoners under Borstal or preventive detention sentences. The State, however, provides a Government grant of 2s. per head for the assistance of these societies, whose main functions are to find employment for discharged prisoners ; to find lodgings or homes for discharged prisoners ; to visit, encourage and report on the progress of all persons under the

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care of the societies ; and to accompany them to the railway station and see them off, if required. This work has been extended to the provision of assistance for wives and families of men undergoing imprisonment. These beneficial changes have resulted in a great decline in the number of recidivist prisoners, e.g. the number of men convicted six times and over in 1918 compared with 1910 show a reduction of 80 per cent.

THE WORK OF THE MEDICAL OFFICER

The great improvement in the health of prisoners is due to the excellent medical service and inspection—requiring from the men and women engaged therein not only high medical qualifications, but tact, discretion and a practical knowledge of insanity. There is an examination of all prisoners on reception and discharge, the regular visits to the sick and those under punishment, the supervision of the sanitary arrangements of buildings, care and control of ventilation, food, water, clothing and bedding. The medical officer also classifies prisoners for labour according to their physical fitness and carefully notes the effect of imprisonment on the mental or physical state of the prisoner ; advising when, in his opinion, life or reason is likely to be endangered by the continuance of imprisonment. It is estimated that the deaths in prison do not exceed 0.50 per 1,000 receptions, a worthy tribute to humane and enlightened prison administration.

The dietary, though still monotonous and sparse, invariably enables a prisoner to put on weight. The progressive improvement of the dietary scale, propor-

tioned to length of sentence, has been effective in mitigating the ill effects arising from the application of the principle of punitive diet, as a part of the sentence of imprisonment. The naked gas light formerly inside the cells, later in the corridors, has been replaced by electric light in the cells ; the opaque window glass excluding the light of day and the hermetically closed windows are barbarisms of the past.

The grave cases of insanity and the difficult and doubtful cases of mental defectiveness which are constantly recurring in prison are full of difficulty for prison administration.

The practice of the Courts,¹ to remand for medical observation when any doubt exists as to the state of mind, has had the desired result of reducing the number of certified insane after reception to about 50 per cent. of the total receptions. The difficulty regarding mental defectives is owing to the natural absence of any hard and fast line of demarcation between feeble-mindedness and insanity, as also in respect to many cases of sanity and insanity. Accordingly, the number of mental defectives amongst criminals has been variously estimated as little as 3 per cent. and as much as 40 per cent.

The Mental Deficiency Act, 1913,² made provision for three forms of mental defectiveness, viz. by State institutions for defectives of dangerous or violent propensities, certified institutions and guardianship. These provisions, however, need to be supplemented by providing that persons whose mental afflictions

¹ Some 2,528 persons were remanded in 1930 for mental observation.

² Amended by the Mental Deficiency Act, 1927.

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drift inevitably into criminal courses are removed from prison surroundings to the more appropriate atmosphere of institutions, where they can remain under proper care and control. Medical opinion, though not, it is opined, public opinion, is growing in intensity that mental and physical disabilities may largely contribute to the commission of crime, and therefore it is essential to consider whether some other form of treatment than punishment by imprisonment cannot be devised which shall be more scientific, efficacious and humane.

CHAPTER III

A SHORT HISTORICAL ACCOUNT OF CRIMINAL PRISONS AND PRINCIPAL STATUTES AFFECTING THEM

ORIGINALLY a prison was a place for keeping offenders safely in custody, not for punishing them, hence the chief aim of former prisons was to make their walls secure and strong, and proper accommodation for their inmates was usually neglected. Our ancestors, too, appeared to have considered it more important to keep their criminals in safe custody than to bring them to trial, and, therefore, gaol delivery for the purpose of hearing and trying a prisoner in early days sometimes took place only once a year. A prison today may be described as a place properly arranged and equipped for the reception of persons who by legal process are committed to it for safe custody while awaiting trial or for punishment and/or reformation.

Prison systems as they are understood today, came into existence about the end of the eighteenth century. Before this period there were : the keep or dungeon of the lord's castle ; gaols controlled by local authorities, often accommodated in the city gates, e.g. Newgate ; the workhouse or house of correction under the direct administration of local justices of the peace ; the bridewell, established for providing compulsory work for sturdy beggars.

The prisons of both the eighteenth and nineteenth

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centuries were places of tragedy and sorrow. Physical cruelty, e.g. filth, stench, overcrowding and deprivation of water and food, marked the prisons of the eighteenth century, whereas in prisons of the nineteenth century there was much mental cruelty caused by the horrors of solitary confinement and repressive and soulless discipline. In another book ¹ the author has detailed some of the terrible conditions of Newgate Prison, conditions which were then common to all prisons (see also Chaps. IV and V, post).

Before the nineteenth century, when some attempt was made to classify prisons and to give them accommodation on the ground that prisoners were human beings and not animals, the inside of a prison was a veritable hell. For five hundred years, from 1400 to 1800, cruelties abounded. Prisoners were farmed out to keepers, who extorted money from the unfortunate inmates by putting on or taking off their irons, or by other favours or inducements. One keeper paid as much as £3,000 for his post, and he somewhat naturally, though callously, set about recouping himself by the only means in his power, namely, extortions practised upon the prisoners. He even went so far as to demand a sum of money from each prisoner when set at liberty, so that the impecunious often had the greatest difficulty in getting released, after they had been found not guilty by the Court of trial. This abuse was not finally abolished until 1774, when Parliament provided that acquitted prisoners should be immediately set at large in open Court.

Those who could not afford the price demanded by

¹ *The Old Bailey* (Ivor Nicholson & Watson, 1933, pp. 18 *et seq.*).

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the gaolers for some of the amenities provided by them in the way of special accommodation, had to associate with the lowest dregs of humanity, hardened by the brutal spirit of the times and the degradations of prison life. They were perpetually tormented and eaten by vermin, and whether they were chained or not depended upon whether a prisoner could pay for his "easement of irons." It was a common practice to overload a new-comer to prison with enormous fetters, and thereby so terrify him to yield to the rapacity of his gaoler. One of the chief sources of income of the gaoler were the drinking cellars in which wine and spirits were supplied to the prisoners ; even the inadequate supply of water had often to be paid for by the prisoners. Those prisoners who had no friends or money had a pitiable time in prison. They were often incarcerated in underground dungeons, where, deprived of light and air, they paced the stone floors amidst unutterable filth "with the lice crackling under their feet like shells upon a garden path."

A curious story which is taken from a charming and picturesque account of the Old Bailey by G. D. Roberts, "to be had of No Bokesellers," is told of a prisoner of Newgate. He says :

"In one respect Newgate of the seventeenth and eighteenth centuries appears to have been preferable to our modern prisons. I refer to the indulgence, by which members of the fair sex were allowed entrance in order to comfort and console their natural lords and masters. A good example of this is shown by the case of John Bernardi, who was arrested in 1689 for political reasons, thrown into Newgate, and

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in his own words, 'loaded with heavy irons and put into a dark and stinking apartment.' He was taken to the Old Bailey and was about to be bailed out, but at the instance of the Treasury Solicitor, who, it is said, 'whispered the Judges on the Bench,' was returned to Newgate, and by a special Act was kept there for twelve months on the plea of waiting for further evidence against him. By successive Acts of Parliament he was kept a prisoner without any charge being made against him. Consolation came to him in his sixty-eighth year, when, in Newgate, he married a virtuous, kind, and loving wife ; in his own words, she proved 'a true help-meet,' and the truth of this can be realised when we learn that, within the precincts of the prison, she bore him no less than ten children. Finally in 1736, after nearly fifty years' imprisonment, Bernardi died, still untried, and still in Newgate, a shining example of a man who did his very best to adapt himself to his unfortunate surroundings."

Gaols were often "abominable sinks of beastliness and corruption" and public attention was at last drawn to them by the gaol-fever which broke out from time to time, affecting not only those in prison but also those with whom they came into contact. But when persons of high degree, such as judges, mayors and aldermen, and others of lower degree, as barristers, and members of the public in the course of their judicial duties, were stricken with gaol-fever, the reform of the insanitary conditions of prisons, in deed and in fact, brooked no delay.

At Newgate, in 1750, typhus, or gaol-fever as it was then called, flourished and was an ideal breeding-place for disease with its squalor, filth and over-

crowding. The Court of the Old Bailey, barely thirty feet square, was crowded during the hearing of trials, whilst in small adjoining rooms were kept a hundred prisoners, most of whom had been confined in pestiferous Newgate. It is said that a draught of infected air played straight from these rooms to the Bench, on which were seated the Lord Mayor, two Judges and an alderman, with fatal results, and that other lesser folk to the number of forty were victims of the same fate. The Corporation of London then endeavoured to ascertain the best means of procuring in Newgate such a purity of air as might prevent the rise of those infectious distempers. Accordingly a system of ventilation was installed in the prison ; and for the Sessions House, where the trials took place, pipes were provided to carry the fumes of vinegar into the Court.

Prison reform practically started with John Howard, who published his work *The State of Prisons in England and Wales* (1775), in which prison abuses were set out, namely : bad food, bad ventilation, and bad drainage, hence typhus fever, popularly called gaol-fever. Another abuse was the want of classification of prisoners, in some cases even the sexes were not kept apart. A prison was often not only a scene of riot, lawless revelry, filth and fever, but it was a college for young criminals where juvenile offenders were educated in crime by its more experienced professors. The first Prison Act, which was passed in 1778, may be said to be the beginning of the English Prison system. This Act laid down the principle of separate confinement together with work, and moral and religious instruction. About this time conditions

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were rendered easier by the discovery of Australia by Captain Cook in 1770, which led to the transportation of convicts to that colony for some fifty years, a period which ended about 1853.

Separate confinement led to a system of almost solitary confinement, with all its horrors, which, with an iron and repressive discipline, were the characteristic features of the nineteenth-century prisons. Prisons in this century were regarded chiefly as places of deterrence and punishment, whereas today in the twentieth century the chief aim is reformation. In 1823-24 some attention was given to the amelioration of prison conditions in local gaols in the way of preserving health, improving morality, and enforcing hard-labour. It was also laid down that if each prisoner could not have a separate cell, he should at least have a separate bed.

Mrs. Elizabeth Fry started prison reform on the female side. In 1813 she found the female ward in Newgate a den of wild beasts, the women living in filth and rags, steeped in vice, often acquired within the prison, and brutalised by men gaolers.

In the nineteenth century Jeremy Bentham advocated the "pantopticon"¹ system of cellular separation and hard-labour, which was carried out in the then new prisons erected in Millbank in 1823, and at Pentonville in 1842. Pentonville prison was designed as the model to be followed for carrying into effect this separate system of discipline. Later Wormwood Scrubs was built by prison labour on the separate-

¹ A prison of cellular shape, having its cells built round and fully exposed towards a central well, where the warders could at all times observe the prisoners.

block system and was regarded as an improvement on the radial or Pentonville plan (see post, p. 85).

The two principal features of prison life in the nineteenth century then, were separate confinement and hard-labour; safe custody and diligence being guaranteed by close observation from a central standpoint. The treadwheel, shot-drill and stone-breaking, variants of hard-labour, were devised so that each could be carried on by prisoners separately from each other. Local prisons continued under local authorities until 1878, when the Government took complete control of all prisons, convict and local, and the first Prison Commission was appointed, by virtue of the Prison Act, 1877.

Owing to the alleged administrative difficulties of a proper system of classification, Pentonville prison was constructed in 1842 as a "model" prison to carry out the policy that "the separation of one prisoner from another was the only sound basis upon which a reformatory discipline could be established with any reasonable hope of success." The offenders who first underwent the horrors of this iniquitous system were first offenders between eighteen and thirty-five sentenced to transportation. The period of isolation was for eighteen months and the separation was complete, masks being worn to avoid recognition. Even service at chapel was arranged on the separate system, each prisoner being placed in a small cubicle from which he could not see any of his fellow-prisoners.

The principal features of the English system began to take shape about this time, viz. separate confinement and hard-labour. Hard-labour was indeed

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hard-labour ; it assumed a narrow and artificial meaning with soul-destroying effects accompanied by physical and mental cruelty, e.g. cranks, treadwheel, shot-drill, stone-breaking and oakum-picking.

The refusal of the Colonies to become the dumping-ground of transported convicts led to the introduction of the system of penal servitude (see ante, p. 34). Convicts were kept at home under a special form of discipline in "public work prisons" where opportunity existed for their employment on works of public utility, e.g. the breakwater at Portland, docks at Chatham and Portsmouth. This system is no longer in existence.

The new system of convict discipline, the leading features with many modifications being the same today, provided in 1857 for a period of nine months' separate confinement, the remainder of the sentence being divided into three stages. Under the mark system, a considerable remission of sentence could be earned, not exceeding one-fourth of the sentence inflicted. This system was introduced into the local prisons and developed by the Prison Commission after its establishment in 1877. Administratively and financially the system was a success, but it offended the public conscience, e.g. the horrors of the separate system, the passion for uniformity and the crushing of the individuality of the prisoner.

The Legislature has effected many reforms relating to prisons and prisoners during the last forty years. The principal statutes are :

(1) The Prison Act, 1898 (amended by the Criminal Justice Administration Act, 1914), which, *inter alia*, allows a remission of sentence not exceeding

one-sixth where the sentence is over a month, provides against excessive corporal punishment, and abolishes all forms of hard-labour.

(2) The Prevention of Crime Act, 1908 (amended by the Criminal Justice Administration Act, 1914, and Children and Young Persons Act, 1932), which established the Borstal system, and also provided for preventive detention as a means of protecting society from dangerous or habitual criminals.

(3) The Criminal Justice Administration Act, 1914 (amended by the Criminal Justice Act, 1925), which provides, *inter alia*, that where a young offender desires to be allowed time for payment of a fine, not less than seven clear days shall be allowed in the absence of good reason to the contrary, and that in any case the imprisonment must be without hard-labour.

(4) The Probation of Offenders Act, 1907, amended by the Criminal Justice Act, 1925, greatly extended the powers already in existence for releasing on recognisance, and gave power in any case either to dismiss the case or to bind the offender over for a period not exceeding three years under the care of probation officers. This Act has been the means of salvation and reformation of many first offenders and has saved them from the stigma of prison and the possibility of a criminal career. The great exponent of this Act was the sympathetic and humane Sir Robert Wallace, K.C., long Chairman of London Sessions.

(5) The Mental Deficiency Act, 1913, relieves prisons of the custody of persons of proved mental deficiency. This Act has been amended by the Mental Deficiency Act, 1927.

(6) The Sentence of Death (Expectant Mothers)

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Act, 1931, provides that a pregnant woman convicted of a capital offence shall be sentenced to penal servitude for life instead of a sentence of death.

(7) The Infanticide Act, 1932, makes the killing of a newly born child by its mother equivalent to manslaughter.

(8) The Children and Young Persons Act, 1933, s. 53, provides that sentence of death shall not be pronounced against a person under the age of eighteen. Section 45 provides for the constitution of juvenile courts. Section 54 substitutes custody in a remand home for imprisonment in the case of any person under the age of seventeen.

PART II
LONDON PRISONS OF YESTERDAY

CHAPTER IV

THE STORY OF NEWGATE

I. FROM THE TWELFTH CENTURY TO 1778

THE treatment meted out to prisoners in England today does not always escape criticism ; indeed, some penologists go so far as to contrast it unfavourably with the prison-colonies established in Soviet Russia, though whether some of the cultural privileges to be found in such establishments are illusory is a moot point. That there has been a gradual and sustained improvement in the prison system of this country in the course of years is, however, incontestable. The whole gamut of penal reform in this country from medieval times until the end of last century can be traced by following the chequered career of a single institution, for Newgate is unique in that authentic records of this gaol are available over a period of more than 700 years. This account, sketchy and incomplete as it must perforce be by reason of space, gives some description of the conditions which prevailed in the bad-old days and the attempts made during the last century to improve them.

Medieval Newgate (Twelfth Century—1422)

There is but scanty information available of the early beginnings of this gaol of ill-repute ; it can, however, be stated with a reasonable degree of authority that at the time of the Roman occupation a gate of

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some description stood in the vicinity, if not upon, the site of Newgate Prison. At a later date this gateway appears to have become obstructed, for we learn that the dumping of building material for the rebuilding of St. Paul's Cathedral after its destruction in 1086 stopped the carriage-way to the existing gate of Ludgate, so that citizens had to follow a "devious and troublesome course," which, presumably, they would not have readily undertaken if the gateway on the site of Newgate had been available, for as Stow, the London antiquary, says, these paths were "very cumbersome and dangerous both to horse and man." Accordingly, steps were taken to remedy this shortcoming and there was erected some time during the twelfth century a "new-gate" in place of the old. It occupied the site of the present Central Criminal Court, and was situated in a street known to this day as the Old Bailey.

As a prison Newgate had very modest beginnings ; it was originally constructed to serve the primary purpose of a gateway ; its use as a gaol was a gradual development. Most cities in those far-off days were encircled by strong walls through which gateways gave egress to roadways leading to different parts of the country. It had been found convenient to use the dungeons and other apartments of these fortified gateways for the detention of suspicious characters approaching the city walls, and this practice soon found favour in the City of London. It was no great step forward to use the same accommodation as a prison, nor are the reasons underlying this hard to ascertain. It was usual to guard these approaches to the City, and the same watchmen who

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carried out this duty could prevent the gate being broken into and the prisoners released, for this was the factor which was uppermost in the minds of those responsible. It was considered more important to safeguard the exterior from assault than to render the interior habitable, not perhaps without justification, for in 1381 the prison was broken into and partially destroyed by the followers of Wat Tyler, and some of the prisoners were released.

At this time other gateways in London were utilised in a similar manner ; there was, for instance, the gateway of Ludgate, but soon Newgate made a reputation for itself, albeit an unenviable one, as the most important prison in the City of London. Here was incarcerated the worst type of criminal, though space was somehow found for the numerous debtors who sometimes languished in prison for years, unable to earn the amounts to pay off their debts, absurdly small, as they frequently were.

The prison was regarded as a " heyhouse," ¹ or hateful gaol, by reason of the chronic overcrowding which took place within its portals, for once safety from onslaught had been secured, the comfort of the prisoners was a very secondary consideration.

Besides serving as a gaol for the City of London, Newgate came to be used as a prison for the county of Middlesex, which further aggravated the appalling conditions of overcrowding. Gaol delivery, as the visits of the King's Justices to try prisoners came to be known, was of rare occurrence, and since it was usually but an annual event by reason of the cost of

¹ An entry in a letter-book at the Guildhall—Loftie, *History of London*, Vol. I, 437.

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the lavish entertainment provided on such occasions, some of the unfortunates incarcerated within the gaol, whether innocent or guilty, had sometimes to wait a twelvemonth for their trial.

Prisoners, tried or untried, pitchforked into gaol on minor charges, and those imprisoned for some political caprice, were thrown into deep dungeons where they had to mix indiscriminately with the worst type of criminal. All categories were threatened and tortured till they were forced to yield to the extortions of the keeper of the prison, who depended upon such perquisites for his living. No regular sustenance was provided and the poorer prisoners were forced to rely upon the charity of their friends or those of benevolent inclination for their food and clothing. At times food came their way from other sources, for example, when declared forfeit by the law by reason of some dishonest practice of trade such as selling food unfit for consumption, or selling light weight ; but this was by no means a regular ration, and the custom of making presents of food to prisoners as an act of charity continued until a very late date.

So bad were conditions that an official inquiry was made as early as the year 1334, and some of these malpractices were brought to light, though, as will be seen throughout the long history of the place, these iniquities, in spite of pious resolutions, were rarely remedied. One complaint, however, received redress. In 1406 three citizens complained that female prisoners were compelled to pass through a portion of the prison where male prisoners were confined. A plot of land was thereupon secured and a tower erected upon it for the exclusive use of women

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prisoners. In these days a tower would appear singularly ill-adapted as a gaol, but apparently different views then prevailed. This tower continued to be used as the female portion of the prison until the gaol was pulled down to make way for a new structure.

Under such frightful conditions of discomfort and overcrowding as recounted above, it is not surprising to learn that disease, and especially gaol-fever or typhus, was rampant. So bad was this scourge that in 1414 the gaoler and forty-four of his prisoners died from the complaint. The time had arrived for the provision of a new gaol.

Whittington's Newgate (1422-1778)

In the year 1422 a new gateway and gaol were erected upon the same site with money left for charitable purposes by Sir Richard Whittington, thrice Lord Mayor of London. The new edifice is described as being similar to a triumphal entrance to a capital, adorned with battlements and with a wide arch in the centre for carriages and a postern for foot-passengers.

"Whit's Palace," as the new building came to be known, served as a gaol for over three hundred years. For over two centuries of this long period there were no material structural alterations, and the repairs carried out were not only very occasional but also inadequate, so that it is not surprising to learn that by 1629 the building was in so ruinous a condition that the gaoler made a petition to the King to the effect that it would be advisable to release the prisoners before they set themselves free. Appar-

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ently this protest roused the authorities from their lethargy, for in 1638 Lupton speaks of Newgate as "new fronted and new faced."¹

In 1666 the Great Fire partially destroyed the building, and once more reconditioning was necessitated to repair Newgate "soe as to make it sufficient to holde the prisoners." But even at this comparatively late period the prison was still subordinated to the gate; the roadway passed beneath the arches and the wretched inmates were housed in the upper stories of the gate-house and in dungeons beneath.

In Cromwell's day additional accommodation was secured by taking in the building belonging to the Phoenix Inn in Newgate Street and extending the premises farther to the rear. The gate, we are told, was at that time an ornate structure, though the same, apparently, could not be said of the interior, which still remained overcrowded and as pestiferous as ever. It seems that one of the obstacles to enlargement, or rather one of the excuses set up against the necessary expenditure, was the acquisition of neighbouring premises.

During the long period Whittington's Newgate served as a gaol the lot of the prisoner must have been indeed a sorry one. Not only were felons and debtors herded indiscriminately within its walls, but political prisoners, and those whose religious beliefs failed to comply with the religious tenets of the day—"conscience objectors," as they were termed—shared the same company. For this miscellaneous collection of individuals the nomenclature "Whit's Palace"

¹ *London Carbonadoed*, 1638, Lupton.

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must have been a bitter pill to swallow. The majority of the abuses which then prevailed had been common knowledge for centuries, yet little if anything was done until a very late day to relieve the misery of the inmates.

As early as 1400 Henry III had granted a charter to the citizens of London delivering to them the custody of the gates of Newgate and Ludgate. Overjoyed at their new charge, many were the good resolutions made by these same citizens for the more enlightened management of their new trust—good resolutions which unfortunately were never destined to be fulfilled. The sheriff, for instance, was not to farm out or let the gaol for profit, as was then customary, but instead was to appoint a keeper who was not to pay a premium for his office, nor was he to extort money from the prisoners under his charge by putting on or taking off their irons—a common form of extortion, as will be seen later. He was only to be permitted to exact one perquisite—to take *4d.* from each person set at liberty ; he was to take no fee upon their entrance. The right to this perquisite of *4d.* (a greater sum then) was retained as late as 1732, when it was ordered that all prisoners acquitted at the Old Bailey should be released without fee. Needless to relate, the order was evaded, and an Act of 1774 had to be introduced requiring the acquitted person to be set at liberty in open Court—a practice still continued.

These altruistic resolutions of the worthy citizens of London were never enforced—the iniquitous extortions continued as before. The sheriffs still permitted the office of Keeper of Newgate to be openly bought

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and sold in the market, and the holder of the office naturally reimbursed himself for his expenditure, and made a handsome profit into the bargain, at the expense of the prisoners in his charge. In the Calendar of State Papers it is recorded that a certain Captain Richardson purchased his place as Keeper for £3,000, a prodigious sum in those times, and of interest today as showing the potential value of the office, which, it seems, was put up to auction to the highest bidder.

All manner of extortions were practised on the luckless prisoners. One source of profit resorted to by the Keeper was the withholding of water from the inmates unless they paid a high price for this necessity. So great was the abuse, Stow tells us, that a certain Thomas Knowles, twice Lord Mayor of London, in the year 1430, "conveyed the waste water of his cistern . . . to the gaols of Newgate and Ludgate for the relief of the prisoners." But it was not long before the Keeper began to sell the water from the gift to the very prisoners for whom it was destined. From time to time the City records contain ordinances prohibiting this pernicious practice, and some temporary relief was as frequently secured, but it was not long before the abuse crept in once more, and as late as 1676 the custom of extorting this illicit charge continued.

The life of the new-comer to this ill-famed prison was no bed of roses. It was usual to threaten to load the prisoner with chains of a fearsome weight so that he might be terrorised into the payment of a sum of money for "easement of chains" in order that his irons might be exchanged for fetters of more moderate

dimensions. In 1724¹ a certain "B. L. of Twickenham," an inmate of the gaol who wished to remain anonymous, published a detailed account of the prison as it was in the year 1667; this gives an interesting insight into the sufferings endured by new-arrivals; before that time the information is fragmentary, though the treatment of prisoners was doubtless of a similar character. He states that Newgate had no proper reception-room, but that there was a lodge at the entrance where the prisoners were received and generally fettered or "ironed" until they chose to purchase "easement" and a lighter set of chains. Near the lodge, he tells us, was a chamber which served as a first resting-place for male prisoners as well as the last for not a few. The condemned hold, as this room was called, lay between the top and bottom of the arch under Newgate. Imperfectly lighted, it measured but twenty feet by fifteen feet. The floor was of stone upon which was a wooden bed "wherein," says the writer, "you may repose if your nose suffers you to rest." Above the bed were "divers ring bolts wherein such prisoners are locked as are disorderly." According to "B. L.," the usual practice was to put the newly arrived prisoner in the condemned hold ("B. L." says there was a second for women) until he paid 2s. 6d., and after he had been given some further time to consider the miserable prospects of the future, he was considered to be in a fit state of mind to pay handsomely for some amelioration of his lot. He was thereupon given the choice of the Master's or Common Felon's side, of which more

¹ *An accurate description of Newgate with the Rights, Privileges, Allowances, Fees, Dues and Customs thereof.*

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anon. "B. L." says of the Common Felon's side, "the unhappy persons imprisoned therein are such as at their unfortunate entrance cannot pay the customary dues of the gate."

As Arthur Griffiths in his *Chronicles of Newgate* tells us, prisons at that time were ante-chambers to the pillory and the gallows, for there was at that period no deportation for serious crimes, and the death penalty was exacted for a multitude of what today would be considered petty offences. After languishing some months in gaol, the unfortunate criminal usually paid the penalty for his crime with his life, so perhaps it is not surprising that those whose means permitted were ready purchasers of a greater degree of comfort for their few remaining days. Debtors, on the other hand, languished for years, and yet, strange to relate, were frequently able to pay the extortions demanded for better housing.

The prisoner was regarded as a potential source of profit. It is related that in 1638 Sir Francis Mitchell, a justice of Middlesex, received a salary of £40 per annum from the Keeper of Newgate on condition that he sent all his prisoners there. And not only was the gaoler out to bleed the prisoner of his wealth, there were others out to share the plunder. We learn that even the gaoler's wife levied blackmail under threat of ill-usage if her extortions were not acceded to. This rapacity even spread to the inmates themselves. The cellarmen, who were, in theory, specially selected prisoners placed in charge of their fellows, but in fact the highest bidders for the office, were permitted to sell candles for any price they could obtain, and since the greater part of the prison was

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in permanent darkness and they had the sole monopoly of the sale of these articles, they made a handsome profit. They were also permitted to obtain a percentage on all liquors consumed, for drinking was both permitted and indulged in to excess.

“B. L.,” whose book has been previously mentioned, says that the debtors and felons were under the government of four other prisoners who apparently locked in their brethren at night and fettered and ironed such felons as deserved the same. It was also their lot to knock off the irons of those going to execution. Theirs was the right to distribute all bread and beef, and all gifts given ; and lastly, they had to keep good order amongst the prisoners. In order to carry out this last task, says the writer, “they are empowered to carry a substantial Bulls Pizzle each, which being their MAGNA CHARTA, they hold and execute their laws and orders thereby, to the great terror and sweat of those who dispute their authority.”

The life of those prisoners who were ordered to be kept in irons must have been a cruel one. In the seventeenth century we learn that Stephen Smith, a fishmonger who had contravened the precautionary rules against the plague, petitioned that he had been so heavily laden with such intolerable bolts and shackles that he was lamed, and being a weak and aged man was likely to perish in the gaol.

Apart from discomfort all prisoners were allowed a far greater degree of freedom than they enjoy today. Those of religious inclination were permitted to hold services, while others preached sedition. Those desirous of drowning their sorrows in drink, and pos-

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sessed of the means, were free to quench their thirst at the prison tap-room. Some prisoners even brought their wives into gaol to live with them, though this must have further aggravated the overcrowding ; for at that time the whole of Newgate was crowded into an area of less than three-quarters of an acre, while a portion of this restricted space was occupied by the Old Bailey Session House and garden. When it is realised that as many as 300 were at Newgate at one time, some idea can be obtained of the indescribable conditions which must have prevailed.

During the seventeenth century, and probably for some considerable time before, Whittington's Newgate was divided into three sides or divisions, which were as follows : (1) the Master's side for debtors and felons ; (2) the Common side for prisoners of a similar category ; and (3) the Press Yard for " prisoners of note."

The privilege of occupying the Master's side could be purchased, at a price, and though the accommodation thereby secured was luxurious in comparison with the miserable quarters provided for impecunious prisoners who, unable to pay the extortionate fees demanded, were forced to live on the Common side, it was squalid and mean, and would ill compare with modern standards of prison accommodation.

The Master's side was subdivided into Debtors' and Felons' divisions. " B. L." tells us that there were three wards in the Master's Debtors' side and that good tables and chairs were provided. Provision was made for cooking, and beds of good flock could be hired at 2s. 6d. a week. Fees for entry were as follows : 6s. 6d. to the turnkey, and 10s. 6d. to the

steward of the ward for "garnish money," in return for which the steward was supposed to provide coal and candles. Every prisoner in the Master's Debtors' side also paid 7s. 6d. to the turnkey on discharge.

The Master's Felons' side comprised a large hall and three wards—two for men and one for women. Fees on arrival were 14s. 10d., in addition to which garnish money was payable to the steward of the ward as above. "B. L." says that there was a good drinking-cellar where the cellar-man was responsible for discipline. Interviews with friends through a grille were permitted at 1s. 6d. per diem. Beds were available at 3s. 6d. a week.

The Common side was likewise subdivided into Debtors' and Felons' divisions. Here were housed the impecunious prisoners, and it was here that the most atrocious conditions prevailed.

In the Debtors' division of this side there were no fires except on Christmas Day unless outside friends made presents of fuel. The accommodation provided was poor to the extreme ; windows were unglazed and open to the elements ; no beds were provided, and the debtors were obliged to sleep on the wooden floor. A small loaf of bread a day and a portion of beef once a week was all the sustenance provided, and no arrangements were made for cooking. Fees on arrival and discharge were exacted even on this side, and many a poor debtor was forced to sell the very clothes from off his back to pay them. In this division debtors unable to earn the amount of their debt or to pay the amount of their discharge were forced to remain in prison for years. Restrictions, however, were few ; no restraint was imposed on

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conversation, and drinking with the felons was connived at.

Bad as was the lot of the debtor on this side, still worse was that of the felon. Some of the five wards in this division were situated underground; they were paved with stone, and were in perpetual darkness—they were odoriferous and damp. Needless to say, there were no beds, nor did the women in the two wards reserved for them on this side fare any better in this respect. Prisoners, moreover, were deprived of any opportunity for exercise.

Of this division "B. L." says :

"'Tis great Pity that a better DECORUM is not maintained among the Prisoners of the COMMON SIDE, especially in the TAPHOUSE, for therein, by connivance, the Felons are permitted to converse and drink with the Debtors, by which Means such wickedness abounds therein that the place seems to have the exact aspect of Hell itself."

In this portion of the gaol was the Press-room wherein was carried out the sentence of pressing with heavy weights known as *peine forte et dure* (i.e. severe and hard punishment), the object of which was to make persons arraigned for felony and remaining mute plead, whereupon their goods, on conviction, were seizable by the Crown. Many a brave man went to his death under this terrible torture rather than plead and thereby deprive his relatives of his goods. This torture was abolished in 1772.

Fortunate indeed were those prisoners committed to the Press Yard, which Griffiths says was a division of the prison composed of "large and spacious rooms" situated on all three floors of the prison

and deemed by a legal fiction to be part of the Governor's house—not that the inmates were to be considered as the honoured guests of that official, but merely as an excuse for exacting additional fees in excess of the amount prescribed by law. The Press Yard was free from smells ; there was fresh air and light, and what was, perhaps, as important, the provision of a small space for exercise. But these advantages were for the few—State prisoners and those possessed of ample wealth. Upon entry these persons were bled according to their means, anything from £20 to £500. Even in this superior part of the prison, the writer of the *History of the Press Yard* tells us, two and sometimes three lay in one bed. The Press Yard was destroyed by fire in 1762.

The same writer tells us that upon arrival these superior prisoners were first mulcted at the lodge, as was every prisoner. They were then terrorised into an exchange of better accommodation. The writer describes his first days at Newgate. Within half an hour of his incarceration at the lodge, he says, he heard a voice overhead from a board taken out of the ceiling saying : “ Sir, I understand your name is —, and that you are a gentleman too well educated to take up your abode in a vault set apart only for thieves, parricides and murderers. From hence criminals after sentence of death are carried to the place of execution, and from hence you may be removed to a chamber equal to one in any private house, where you may be furnished with the best conversation and entertainment, on a valuable consideration.” The victim thereupon begged to learn the terms of entry, and these were soon forthcoming.

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Having entered the Press Yard, he was accordingly introduced to congenial companions, both of whom had married since their incarceration and lived with their wives and children in gaol. The night, we are told, passed happily enough, beguiled with drink and conversation at the expense of the novice who had to pay dearly for his "footing."

The Beginning of Reform

And so these vile conditions continued well into the eighteenth century when John Howard began his prison visits in 1772, and made public the results of his inquiries in a book called *State of Prisons*, 1777. He tells how the wretched inmates were deprived of the commonest and most indispensable necessities of life. Artificial light was required all over the gaol with the exception of the Press Yard, for windows were heavily taxed at that time, and since the gaol was expected to be self-supporting from the fees exacted from the prisoners, the payment of the necessary taxes would have made too heavy inroads on the revenue. Such windows as existed looked out upon dark passages.

Though Howard speaks of prisons generally, and not of Newgate in particular, it may be assumed that like conditions prevailed in this, the most retrograde of English prisons. The place of durance was sometimes an underground dungeon into which the prisoners were lowered to fight with rats for the meagre pittance of food thrown to them through the centre of the ceiling. There was sometimes half a foot of water or an open sewer running through the centre of the floor. There were no chimneys or fire-

places and the wretched inmates had to huddle together for warmth. No attempt was made at ventilation and prisoners were kept under lock and key with no chance of outdoor exercise. Water was provided in the scantiest quantities, insufficient for both drinking and ablutions.

When Howard visited Newgate in 1772 the extortionate fees previously mentioned were still in vogue. At that time and for centuries previously, gaol-fever had never been entirely absent. It was fostered by the general conditions of overcrowding, neglect of sanitation and the insufficient nutriment of the inmates. In 1750 the prisoners in the dock of the Old Bailey, which adjoined Newgate, carried the infection to the Judges' bench and several Justices succumbed. As a result, a committee of inquiry was set up in the same year to inquire into the best means of preventing a recurrence of the disease. The only palliative suggested was an extension of the recently installed ventilation system, which consisted of a kind of windmill on the roof. The results were not very promising, though no further epidemic is recorded in Court. None the less, in 1763, twenty-eight persons died from the disease in Newgate.

Howard in his report says of Newgate: "To this capital prison the magistrates would, in my humble opinion, do well to appoint a physician, a surgeon, and an apothecary." For in 1772 there was no regular Medical Officer in the prison and the inmates had to depend on the infrequent visitation of an apothecary. This suggestion eventually bore fruit, for by 1776 a regular Medical Officer had been appointed.

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Life at Newgate in Howard's day must have been atrocious. There was no sanitation and there is clear evidence that the sexes intermingled during the day. There was no regular occupation provided, and the day and most of the night was spent at cards and games of chance. With so large a criminal element present frauds and quarrels were not infrequent. The innocent and the guilty, hardened criminals and young offenders, mixed indiscriminately to the moral detriment of the latter. Thefts within the precincts of the prison were of common occurrence, and it is related that the more light-fingered of the prisoners kept their hand in by picking the pockets of the numerous visitors who thronged the prison during the day.

The conditions of Whittington's Newgate were a public scandal ; nor was the Public Press, at that time in its infancy, permitted to ventilate the grievances and wrongs suffered by the inmates.

After endless committee meetings, and the submission and rejection of countless schemes, it was eventually decided to erect a new prison on the same site after the designs of George Dance. In fairness to the City Corporation, it must be stated that the prison had already been condemned before Howard made his report.

CHAPTER V

THE STORY OF NEWGATE

II. 1788-1901

FURTHER ground was acquired for this purpose, not without difficulty, and the first stone was laid in May, 1770. By 1778 the building had been partially completed at a cost of some £90,000. It seems that the old prison was never entirely closed and that the work of rebuilding went on piecemeal, for we hear that in this year the completion of the quarters allocated to the Debtors' side was ordered to be expedited and that the male debtors be segregated from the women debtors.

William Smith, M.D., who in 1776 inspected and reported upon the sanitary conditions of all the London prisons, had not a better opinion of the new Newgate in course of construction than of the old. He says the prison "was filled with nasty, ragged inhabitants, swarming with vermin, though Akerman, the Keeper, is extremely humane in keeping the place as wholesome as possible." "The new prison," Dr. Smith continues, "is built upon the old principle of a great number being crowded together into one ward, with a yard for them to assemble in the day and a tap where they may get drunk when they please and have the money to pay."

The Keeper of the prison, Akerman, mentioned in the report, appears to have been a humane man and an enlightened gaoler ; he is well spoken of by

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Boswell, Dr. Johnson's biographer, and also by Dr. Smith. He seems to have done his best in the difficult circumstances to alleviate the sufferings of those in his charge and even provided soup out of his own pocket for the needy. Boswell says of Akerman that "he long discharged a very important trust with a uniform, intrepid firmness and at the same time a tenderness and a liberal charity."

No sooner had the new building been partially completed than the new edifice was stormed in 1780 by the mob during the Gordon Riots consequent upon the relaxation of the penal laws against Roman Catholics. The prisoners were released and the building, though of stone, was set on fire and considerably damaged. During the ensuing days many of those who had been imprisoned returned of their own accord, finding it impossible to live outside. Dickens well describes the scene in *Barnaby Rudge*.

"Anon some famished wretch whose theft had been a loaf of bread, or scrap of butcher's meat, came skulking past, barefooted—going slowly away because that jail, his house, was burning; not because he had any other, or had friends to meet, or old haunts to revisit, or any liberty to gain, but liberty to starve and die. And then a knot of highwaymen went trooping by, conducted by the friends they had among the crowd, who muffled their fetters as they went along, with handkerchiefs and bands of hay, and wrapped them in coats and cloaks, and gave them drink from bottles, and held it to their lips, because of their handcuffs which there was no time to remove."

The damage to Newgate is said to have amounted to £20,000. By 1785 the damage due to the fire had

been made good, and the uncompleted portion of the building finished.

With its massive design and ponderous walls there was no mistaking the purpose of the building, and although an improvement upon its predecessor, no provision was made by those responsible for its design for housing the great influx of prisoners consequent upon the growing population and the increase of indictable offences. Prisoners were always in excess of accommodation. Neild, in his *State of Prisons in England, Scotland and Wales*, published in 1812, well describes the overcrowding of the new prison. He says that at one time there were 300 debtors and 900 criminals at Newgate. The inadequacy of the prison was frequently reported upon by the grand juries of the day, who, on one occasion, pointed out that the Debtors' side, originally intended for 100, housed no less than 340.

According to Neild, the prison was divided into eight departments which roughly followed the former divisions of Whittington's Newgate. Male and female prisoners were certainly further segregated than formerly, but the old extortions still remained, and privileges continued to be purchased by the affluent.

There was a Male Debtors' side which was subdivided into the Master's side, a new subdivision called the Cabin side, and the Common side.

The Master's side consisted of long, low rooms holding twenty or more, while the Cabin side was comprised of four small rooms or cabins, seven feet square, and supposed to accommodate two persons, though there were frequently more. Admission to both the

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Master's and Cabin sides was 3s. "Garnish" was also payable to be made "free" of both these sides. In the case of the Master's side it was 13s. 4d. and a gallon of beer on entry for the inmates, while on the Cabin side the fee was a guinea and a gallon of beer on discharge. The garnish money was supposed to be expended on the prisoners' behalf on candles and coals. In addition to these payments there were other fees. The sheriff demanded 4s. 6d. for his "liberate," and the gaoler 6s. 10d. ; so that a debtor who had discharged his debt or abandoned his goods to his creditors had to remain in prison until these additional extortions had been paid. This can, however, be said in favour of the officials, any charitable gifts received were entirely allocated to the Common Debtors' side and the more affluent in the Master's side got nothing.

Neild says that in 1802 two hundred thousand writs were issued for the arrest of debtors for sums varying from 4d. to £500.

The Common Debtors' side consisted of long, narrow wards holding fifteen. The day-room was likened to a tap-room. Beds were not provided, but, like everything else in the prison, could be hired for a fee. Sometimes a couple of dirty rugs, provided by the City, were available as a covering for the night, otherwise the prisoner had to provide his own or go without.

The Chapel Yard was the name of another division of the prison and was allocated to misdemeanants and to those awaiting trial, so that, in theory, some attempt was now being made to keep the more depraved criminals apart from the new-comer. The wards of this

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division were fitted with barrack-beds, which were in reality no more than an inclined wooden flooring with a beam running along the top to serve as a pillow. One and a half feet was the space assigned to a man, and those who were so unfortunate as to find no accommodation on the beds (which held twenty-four persons) had to sleep on the floor, nor was bedding provided.

The Middle ward was a further division and was reserved for the worst offenders and for men awaiting transportation to the colonies. The Hon. H. G. Bennett, who visited the prison in 1817, relates that he frequently discovered children between the ages of eight and twelve confined in this ward.

The Master's Felons' side followed the general lines of its predecessor of that name in the old prison. It was supposed to be allocated to the better-behaved and most decent prisoners, but in actual fact was reserved for those who could afford to pay for its superior accommodation.

The State side was large and commodious and the most comfortable part of the prison. In order to provide the space required, a portion of the female side was deprived of its already restricted area. As usual, no lodger was refused who could pay. Convicted felons, prisoners awaiting transportation, debtors and political prisoners, rubbed shoulders with one another. The entrance fee was fixed at three guineas, as laid down in the table of fees, and a bed could be hired for 10s. 6d. a week. But if this superior accommodation did not meet with the approval of the fastidious, the gaoler himself was not above taking in a few prisoners as boarders in his own dwelling,

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though the fees were naturally high for such a privilege, and as much as thirty guineas a week was demanded.

The condemned were assigned to the Press Yard, which was built on the same site as the old yard of that name with its memories of the terrible sentence of pressing which was formerly carried out there, now happily a story of the past. The accommodation included a day-room together with some fifteen condemned cells which were of stone, lined with planks studded with nails in case the inmates should attempt to escape.

With the exception of men condemned for murder, there was frequently considerable delay in carrying out the sentence, for the capital penalty was exacted for the most trivial offences. It sometimes happened that this period of agony was as long as two years. On the other hand, two to three days, provided a Sunday was included in the period, was all a condemned murderer was allowed in which to make his peace. During that time he lived on bread and water ; he was confined in a small cell with one or two others in a similar predicament, and was denied any opportunity for exercise. Perhaps his worst ordeal was his compulsory attendance at chapel on the Sunday, where, in the presence of crowds of sight-seers who flocked to the service on that day to gloat over his misery, he had to listen to a dismal sermon preached on his behalf. The surroundings in which he found himself were morbid to a degree. The condemned man and his brethren in distress were compelled to occupy the condemned pew, which was suitably draped in black, while a coffin stood on a

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table before their eyes. Perhaps death was a fortunate escape.

Those condemned on other charges did not fare so badly ; during the day they were free to mix with one another in the day-room, and were only locked up at night. Reprieves were by no means infrequent, and every prisoner, unless he was a murderer, was buoyed up with the constant hope that eventually he would be released from his terrible plight.

No record of Newgate, however short, would be complete without some mention of the executions which took place outside.

Originally executions were performed some distance away at Tyburn and dense throngs crowded the approaches from Newgate ; a public holiday was proclaimed and scenes of indescribable debauchery were enacted round the gallows. The condemned man made the long journey to Tyburn in a cart attended by the hangman and the prison chaplain.

In the year 1784, the place of execution was changed from Tyburn to the front of Newgate. It was hoped that better facilities would thus be afforded the public to witness this nauseating spectacle. The moral benefit to the remainder of the prisoners at Newgate was also in the thoughts of those responsible for the innovation. It was said that they "will derive a useful lesson of duty and obedience and a strong admonition to repentance from the presence of the heavy hand of justice so near the walls."

To anticipate, in 1864 a Royal Commission recommended that executions should no longer take place in public, and an Act of 1868 made this law. The gallows were accordingly removed to within the prison

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and the citizens of London were henceforth deprived of their most popular free entertainment.

The above description of Newgate at this time (the end of the eighteenth and the beginning of the nineteenth century) has dealt almost exclusively with the male side, and some account of the conditions which prevailed on the female side must now follow.

On this side were the usual two main divisions—Debtors' and Felons', and of these divisions the latter was always full to overflowing. One change for the better, however, had taken place—an infirmary had been provided for the sick. Those who had the money to pay could enter the Master's side and enjoy the more pleasing atmosphere of the place, but it seems that women from any part of the prison were free to associate in a common yard. Young girls between the ages of nine and thirteen were exposed to the contagious influences of hardened offenders.

Bad as were the other sides of the new Newgate, the female side was far worse. Its degrading influences had attracted the sympathy of that great prison worker, Elizabeth Fry, as early as 1813. In an area of about 192 superficial yards some 300 women together with their children were confined. All classes of criminals mixed indiscriminately—the felons and the misdemeanants; the tried and the untried. The whole side was under the superintendence of an old man and his son. The unfortunate women in this part of the prison were compelled to sleep on the floor without bedding. Many were nearly naked. Some were starving; others were drunk. Everything was filthy beyond description.

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Even the keeper kept away from this part of the gaol and tried to dissuade Mrs. Fry from entering it.

Mrs. Fry's own account of her first visit endorses the horror of these conditions. "All I tell thee is a faint picture of the reality, the filth, the closeness of the rooms, the ferocious manners and expressions of the women towards each other, and the abandoned wickedness which everything bespoke, are quite indescribable." Associated with Mrs. Fry in her prison visits was a Mr. Buxton, whose pamphlet published about this time drew attention to the neglected state of this gaol and contrasted it unfavourably with continental prisons.¹

Mrs. Fry made further visits in 1816 and 1817 and did much to mitigate the discomfort of the inmates with gifts of food and clothing. Apparently, the four years that had elapsed since her first visit had brought but little amelioration to the lot of these unfortunate women prisoners, nor had her disclosures obtained a very sympathetic hearing. Mrs. Fry speaks of women clamouring for alms through the gratings with wooden spoons at the end of long sticks.

In 1818 Mrs. Fry gave evidence before the Parliamentary Committee. She stated that women were frequently placed in irons, not merely handcuffed, but loaded with heavy fetters on their legs which caused swelling; some were chained together. Besides giving evidence before the Committee and thus at last dragging these degrading conditions into the light of day, Mrs. Fry and the band of lady helpers she had gathered around her, did much material good

¹ *An Inquiry whether Crime and Misery are Produced or Prevented by our Present System of Prison Discipline.*

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in bettering conditions. She founded a school for children and young women within the precincts of the prison. She started working-parties where knitting and needlework provided a much-needed occupation. A matron was appointed and some attempt at personal cleanliness instilled into the inmates.

Some of Mrs. Fry's suggestions were eventually adopted and in course of time the female side was no longer the terrible disgrace it had been previously.

But in spite of the endeavours of various reformers, living conditions at Newgate were shameful both for men and women. The new gaol was, generally speaking, most unsuited for its purpose ; it did not even keep out the weather. But there were other shortcomings for which even an inadequate building could not be made the scapegoat. The rations of food were insufficient and their distribution faulty and open to abuse. The allowance of food on the Debtors' side, for example, was 14 oz. of bread per diem per head and 18 stone of meat per week, the latter for the whole side quite irrespective of the number of its inmates. Since these frequently reached 300, the allowance *per capita* was not great. So insufficient was the ration that some of the City caterers augmented the meagre portion with presents of their surplus stock. No arrangements were made for cooking on the Common sides, and the prisoners did the best they could over the fires in the wards ; but since there was no regular supply of fuel, the provision of fires depended entirely upon the generosity of outsiders.

The whole week's ration of meat was gobbled down at one sitting, for there was no place in which to store it. Dirt was everywhere. So overcrowded was

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the prison that the chapel was utilised for accommodation. Although friends and relations were no longer permitted to live in gaol, they could freely visit the prison between the hours of 9 a.m. and 9 p.m.—a privilege of which they freely availed themselves. Indeed, many of the prisoners depended on the ministrations of their friends for their daily sustenance. In spite of these shortcomings, there was still a "convenient room" where beer could be supplied from a near-by inn, so that the luckless prisoners who had the money could drown their sorrows in drink, for they had little else to live for.

Order and discipline on the Debtors' side were preserved by a steward chosen from among the prisoners. This individual was in supreme charge and all food passed through his hands, naturally paying toll on the way. Under him were the captains of wards exercising like functions, and, in their turn, exacting rations by virtue of their office.

The extortions of a bygone day, though banished in the more enlightened prisons, were still levied at Newgate. Fees were still exacted on reception and discharge, in order that the City might be relieved of the cost of maintaining the gaol. As late as the year 1816 felons were still kept in irons and the naïve reason given for this prehistoric practice was that since there was no distinctive dress for prisoners, it was the only way to distinguish the felon from the visitor. The daily crowds still smuggled in spirits, which were prohibited, and thieves from outside hatched burglaries with their brethren within. A number of abandoned women from time to time found their way into the prison, but any criminal

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could have his wife, reputed or otherwise, to spend the night with him on payment of a fee of 1s. Drinking and gambling were the only occupations to beguile the tedium of the long hours, for at this time regular employment had not been introduced.

Today it appears almost incredible that such a state of affairs could have existed in this country not much more than a century ago, yet abundant records prove that such was the case.

In 1815 the Committee of the House of Commons painted so black a picture of Newgate as a result of the Inquiry instituted in 1814 that the Corporation of the City of London appointed its own committee to inquire into the alleged abuses. In 1816 the report duly appeared and included, amongst its other recommendations, the provision of separate cells, the institution of day-rooms for regular labour, the insistence of a higher standard of personal cleanliness for prisoners, an increase in the number of baths available, and the building of a laundry. The report further recommended the amelioration of the existing accommodation, the abolition of all fees and the prohibition of the practice of "ironing." Discipline was to be tightened up and beer and wines were to be forbidden.

Such recommendations as were inexpensive received immediate effect. The State side was closed and that portion purloined from the female side restored to its rightful use. The rations of bread were increased; boys were segregated from men and a school was provided for their education. But little else was done and Newgate still lagged behind even provincial prisons in its reforms; lack of space

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was the unconvincing excuse put forward for this lamentable state of affairs.

Reform, however, was in the air. Already the Legislature had awakened to the fact that something must be done and had brought in the Gaol Fees Abolition Act, 1815, whereby it was made illegal to exact gaol fees ; and it was being gradually realised throughout the country that even prisoners had some claim to fresh air and decent accommodation.

In 1817 further innovations were made at Newgate. A better diet was instituted and the distribution of meals improved. Meat, for instance, was no longer issued in bulk once a week but was distributed daily in rations. Perhaps one of the most pressing reforms brought about was the provision of proper facilities for the preparation of prisoners' food in a suitable kitchen.

By 1818 the practice of fettering prisoners awaiting trial was discontinued ; the reasons given for this change were the imposition of new restrictions upon visitors, for, since their numbers had in consequence decreased, it was no longer considered necessary to impose this torture upon the inmates of the gaol as a distinguishing " badge."

In 1835-36 the first inspectors of prisons—Messrs. Crawford and Russell—were appointed ; they visited Newgate and subjected it to a long and searching inspection. At its conclusion they made their report to the House of Commons, and, needless to relate, they had some pertinent comments to make. They rightly observed that such changes as had already been introduced went but skin-deep. Though the

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numbers incarcerated had decreased (for since 1815 separate provision had been made elsewhere for debtors and the prison now only housed prisoners awaiting trial or transportation overseas, and condemned men), yet, instead of this improving the lot of the remainder, several wards had been closed and the former occupants herded together in the other wards and the congestion was as bad as ever. In the various wards they visited they came across the convicted and the untried, the old lag and the young offender, mixing freely ; the enactment of the Prison Act, (1784, 24 Geo. III, c. 54, s. 4), which had laid down that certain classes of prisoners should not intermingle, was being openly disregarded. The prisoners were dirty and in rags. Though fees were prohibited, ward-dues were still being exacted from impecunious prisoners by the wardsmen, who were prisoners placed in authority over their fellows. Far too much power, the inspectors considered, was placed in the hands of these men, who, moreover, exercised it in an arbitrary manner, assigning the best places in the wards to those who could pay for preferential treatment, and placing young offenders, unable to accede to their extortions, next to hardened criminals. They discovered that the majority of new arrivals, chiefly untried, were pitchforked into this nursery of crime, where they slept, huddled together for mutual warmth, three or four on a mat on the floor, their bed-covering a couple of dirty stable-rugs. No clothing was provided and many went barefooted for lack of the price of a pair of shoes. Food, they reported, was being doled out according to the vagaries of the wardsmen, who

measured it out by eye. This functionary also sold tea, coffee and tobacco. He could also, by some underhand means, obtain extra beer—at a price. This delegation of disciplinary powers to old prisoners who bought their offices from each other, was considered pernicious, for they even dominated the turnkeys or warders.

The inspectors further observed that prisoners were left far too much to their own devices, the governor rarely visited the prison quarters, and discipline was lax. The time hung heavily upon the shoulders of the inmates, who had nothing to beguile the tedium of the long hours except drinking, gambling, or making wild horseplay at the expense of the new-comers.

Conditions on the female side, though still bad, were an improvement on those of the men, thanks to the ministrations of the Ladies' Association set up fifteen years previously by Mrs. Fry. The language of the women, however, is described as shocking.

Perhaps the most startling revelation made by the inspectors was the presence of criminal lunatics amongst the mixed crowd; they were mocked at and made fun of by the other prisoners. (Such legislation as had been enacted on their behalf up till that time was only of an enabling character; any two justices had power to remove such persons to an asylum, but were frequently unwilling to make use of their privileges.)

The report concluded by condemning the gaol itself, which, it said, was encumbered with long passages and unnecessarily thick walls. Cellular accommodation was recommended instead of wards, and larger exercise yards. The evils of excessive associa-

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tion between the innocent and the guilty with its consequent perverse influence upon the former, aggravated by idleness, was deprecated.

It goes without saying that the publication of such an unfavourable report in 1836 raised an outcry in the City ; unsuccessful attempts were made to traverse its charges, but the facts spoke for themselves.

In 1837 a few minor improvements were introduced. Bed-places were constructed in tiers along the walls of the wards and a dining-room was provided. Prisoners were more closely confined than hitherto, and their numbers restricted, in an effort to avoid contamination. But by the time the inspectors had made their fourth report on the prison in 1839 many of the major abuses still continued, the inspectors even noticed a retrograde movement.

One change for the better, however, had been made. The pillory which had stood outside Newgate since time immemorial was removed in 1837. This degrading form of punishment, which consisted of a wooden frame, supported by an upright post with holes through which the head and hands of the victim were thrust, was originally instituted to deter persons from circulating untruths. Unpopular offenders exposed to this painful punishment got their true deserts from the mob who pelted them with refuse, and were not above inflicting bodily harm on their defenceless persons. On the other hand, those whose indiscreet actions had brought this punishment on their heads, but who were nevertheless popular with the crowd, were bedecked with flowers. It is recorded, according to Reginald Sharpe, in his *Memorials of Newgate Gaol*, that a certain doctor who

had written a pamphlet against the Government had an umbrella held over his head by a footman in livery, who had been detailed for the duty by the Under-sheriff.

Naturally these annual reiterations of the abuses which prevailed at Newgate by the inspectors produced bad feeling between the Corporation and themselves. For, truth to tell, no complete and permanent improvement was possible while this ante-diluvian building remained.

During this period the Legislature had not been inactive in its efforts towards prison reform, though the results were mostly permissive in character. The Prisons Act, 1839, an Act for the better ordering of prisons, had laid it down that individuals might be confined separately in single cells, but so far no steps had been taken to enforce a better and universal system of prison discipline or the construction of new prisons on more up-to-date lines. But in 1843 the Home Secretary appointed a committee of prison inspectors to draw up rules for prison administration and these were generally adopted throughout the United Kingdom. Moreover, Pentonville was opened as an experimental prison built on the most approved lines in 1842 to serve as a model for similar institutions, and within six years, says Arthur Griffiths, no less than fifty-four new prisons were built on the Pentonville plan. Opinion differed concerning the method of housing prisoners. One school of thought favoured the complete separation of prisoners from one another ; the other, labour in association during the day and isolation at night. Today penologists have adopted a *via media* of both views.

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But in spite of the growing consciousness throughout the country that all was not as well with our prisons as it should be, reform was slow, especially at Newgate. Some of the problems, in fact, automatically solved themselves. For instance, more frequent sessions and the provision of subsidiary prisons had obviated the chronic overcrowding of the gaol, and the occupants were now mostly misdemeanants on long terms and felons awaiting transportation. Wards in consequence now contained not more than ten to twelve persons. The prohibition of drinking and gambling and indiscriminate visits of friends had done much to tighten up discipline and the prison authorities had themselves taken steps in this direction. Cages had been constructed on the landings to enable warders to keep better observation over the wards at night and more prison officers had been engaged. There were other salubrious changes. Gas had been installed and the prison was no longer in darkness, though we learn that a scheme for heating the prison had been turned down on account of the expense ; rags had now given place to distinctive clothing. The problem of occupation had been tackled and oakum was provided for picking—perhaps not a very enlightened innovation. Still, some progress had been made.

At one time it had been suggested that a model prison on the lines of Pentonville should be built on the site of Newgate, but limitations of space forbade such an ambitious project. It was, therefore, decided to erect the new prison elsewhere ; a site was accordingly purchased at Holloway and the new building was commenced in 1848. After the com-

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pletion of this new prison Newgate was restricted, more or less, to the functions of a place of detention for those awaiting trial at the Old Bailey and for condemned men.

The old prison, even for this limited purpose, was out of date, and in 1857 the reconstruction of Newgate within its original walls was commenced and a new north wing containing blocks of cells for 130 male prisoners and embracing all modern improvements was embarked upon. The new work was completed in 1859, and in 1861 similar cellular accommodation was commenced on the women's side. This improvement practically marked the conclusion of structural alterations within the prison.

In 1865 the Prison Act of that year was passed with the object of laying down a uniform and precise system of prison discipline throughout the land. Among its enactments was the requirement of separate cells for prisoners ; the entire segregation of women's quarters from those of the men ; and the appointment of a doctor and a chaplain to every prison. Conditions of hard-labour were carefully defined, and it was laid down that diet sheets should be compiled and a copy posted in each cell, and a supply of sufficient quantities of plain and wholesome food provided for the inmates. The powers of prison governors were stated and the employment of prisoners in any position of authority as warders was henceforth to be illegal.

As far as it went the new enactment was salutary, but the enforcement of its provisions was still left to the local authorities, subject to report by the prison inspectors, and so long as this state of affairs was

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permitted to continue, glaring anomalies in prison management would go on. In some prisons the Act received praiseworthy treatment, in others an obstructive attitude was adopted. Centralised authority was needed.

To remedy this defect the Prison Act, 1877, transferred the whole of the prisons, including Newgate, to the State. A uniformity of administration, hitherto impossible, was then made practicable and incalculable benefits resulted from the change in the physical welfare of the prisoner. Unfortunately the change was not marked by a similar advancement in his mental well-being, for State prison administration in the latter part of the nineteenth century was characterised by a rigorous and unbending discipline. Solitary confinement and the institution of useless and monotonous labour such as oakum-picking combined to make the prisoner an embittered member of society at the conclusion of his term of imprisonment. Prison was regarded as a place of punishment and a deterrent to others ; an abode where the prisoner could repent of his past misdeeds, and the conception of such an institution as a training-ground where prisoners could be fitted to become better members of society had so far gained no ground.

The Act of 1877 henceforth made the old building redundant ; moreover, its upkeep was costly, and the advisability of its demolition was being considered when a fire, which broke out in the same year and practically destroyed the Old Sessions House adjoining Newgate, brought matters to a head. It was now realised that the Old Sessions House would have to come down and that its successor would have

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to be considerably larger ; the site of Newgate was a tempting addition to the building area.

In any event it was decided to close Newgate, save as a place of confinement for prisoners convicted at the Old Bailey and awaiting execution, and this was done on April 1, 1878. Some time, however, was to elapse before Newgate was finally demolished.

Frequent conferences took place between the City architect and the Prison Commissioners concerning the design of the new building, which was now to comprise a new Sessions House and a prison with model accommodation for prisoners awaiting trial. The suggestions put forward failed to meet with the approval of the Prison Commissioners, and as a result, much valuable time was lost. So long was the delay that it was found necessary in the year 1890 to bring the existing accommodation for the condemned men more up to date. Eventually the proposed scheme for a model prison for untried prisoners fell through and was abandoned in favour of a Central Criminal Court which was to occupy the whole site.

Finally, in September, 1901, after yet further delays, Newgate was re-transferred to the Corporation and its activities as a prison were at last terminated. Condemned men henceforth were sent to Brixton Gaol, and Newgate was eventually demolished to make way for the present Central Criminal Court which was commenced in 1903. And so the long history of the gaol came to an end.

The story of the old prison is certainly not one to be proud of ; it is one of squalor and filth and of human turpitude ; but in passing judgment we must remember that today we live in an age of enlightenment

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where humanitarian considerations have more scope and the Press more power to bring injustice to light. The closing of Newgate definitely marked the passing of an age, a dark one, no doubt, when such notions were unthought of and would have been considered a sign of weakness ; an age when the Press was muzzled and no man dare speak his thoughts. Whatever our views, the story is unique in showing the glimmerings of penal reform through the ages in one single institution.

CHAPTER VI

PRISONS IN THE NINETEENTH CENTURY

I. PENTONVILLE, WANDSWORTH AND BRIXTON PRISONS

PRISON discipline in the nineteenth century was in its way as barbarous as that of the eighteenth century, the cruelty of the former being mental, whereas that of the latter was chiefly physical. The virtues of separate confinement led to the horrors of solitary confinement, which in many cases led to insanity. Then there was the passion for uniformity and the destruction of the individual under repressive and senseless discipline.

Prison discipline during this time had four systems :

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| 1. Classification of prisoners. | } In force at nearly
all the prisons. |
| 2. Silent associated system. | |
| 3. Separate system, chiefly in force at Pentonville. | |
| 4. The mixed system, chiefly in force at Millbank. | |

In classifying, young prisoners were separated from old, the novice from practised offenders, and for this purpose prisons, e.g. Holloway, were constructed on a radiating principle. A central tower was supposed to contain an Argus (or point of universal inspection) and from four to eight detached blocks of cells radiated, spoke-fashion, from it. Each of the detached blocks contained a number of small cells, generally about eight feet by five feet.

The silent associated system had for its aim the restriction of social intercourse by compelling prisoners

to work under the supervision of an officer whose duty it was to report for punishment any person who by word of mouth, look or sign attempted to communicate with his fellow-prisoners. The objection to this system was the large number of officers required to prevent intercommunication and the consequent number of punishments inflicted. The golden period of the day was the attendance at compulsory chapel, where, under the camouflage of religious exercises, long conversations took place. It was a refinement of cruelty to associate prisoners together and then deprive them of the natural impulse to talk to one another.

It is difficult to understand the mentality of the Victorians who instituted the separate system, in which each individual prisoner was confined in a cell which became his workshop by day, his bedroom by night, so as to be effectively prevented from holding conversation with, or even being seen temporarily to be sufficiently recognised by, a fellow-prisoner. The chaplain of Pentonville in 1856 proudly described this horrible system as one in which the propagation of crime was impossible, the continuity of vicious habits was broken off, the mind was driven to reflection and conscience resumed her sway ! The prisoner's only visitors during the gloomy terrors of solitary confinement were the unimaginative Governor and his officers, and his only exercise was limited to one hour a day in the open air, which with attendance at chapel were the only breaks in this dreadful monotony. To cage a man as if he were some dangerous beast, allowing his den to be entered only by his keeper, usually ended in his becoming unnatural and furious as a beast. The terrible depression of unbroken solitude

and monotony usually either unfitted a prisoner for his return to normal civil life or led to insanity.

The mixed system was followed at Millbank, where the men worked together in silence by day and slept in separate cells by night.

In Victorian times there were four classes of prisons : convict, correctional, detentional prisons, and lock-ups. The convict prisons, i.e. for those sentenced to penal servitude, were Pentonville (still in use) ; Millbank (on part of its site now stands the Tate Gallery) ; Female Convict Prison, Brixton (now a general remand prison for men) ; and the Hulks, Woolwich. The correctional prisons, i.e. for those sentenced to short terms of imprisonment, were the City House of Correction, Holloway (now a general prison for women) ; Middlesex House of Correction at Cold-bath Fields for adult males, and Tothill Fields Prison for boys and adult females (now both abolished) ; Surrey House of Correction, Wandsworth Common (still in use). The detentional prisons, i.e. for persons after committal by a magistrate, were Middlesex House of Detention, Clerkenwell ; Newgate Gaol and Horsemonger Lane Jail (all now abolished). Lock-ups, for the detention of persons previous to committal by magistrates, were provided in the Metropolis and the City by cells in the police stations. In 1854 the total population of all London prisons and lock-ups was 124,935. The annual cost of keeping a prisoner in that year varied from £17 to £27 in convict and correctional prisons, whereas in detentional prisons it varied from £30 to £55.

Pentonville, Brixton, Holloway and Wandsworth are still in existence and in use as prisons. Worm-

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In the door of every cell was an eyelet-hole through which the officer on duty might observe from without what was going on within. The building was heated by hot water conveyed through pipes from the basement, and the ventilation was maintained by an immense shaft carried through the roof of each wing. There were artesian wells for supplying the prison with water and a gas plant for lighting the building. Indeed, an enthusiastic historian says, "the prison is constituted and fitted together according to all the requirements of modern science, and complete in all its appliances."

Victorians went into raptures over this model prison. One writer says: "In that prison no wretched captive can sigh to breathe the free air of Heaven, since in the open country itself it could not be less stagnant than in the modern jail." And yet, even this writer had some glimmerings of the horrors of solitary confinement, for he asks :

"How is it possible to make out to our imaginations the terrors of solitary confinement? How can we, whose lives are blessed with continual liberty, and upon whose will there is scarcely any restraint—we, who can live among those we love and move where we list, we, to whom the wide world, with its infinite beauties of sunshine, and beauty and form and air and colour and even sound, are a perpetual fountain of health and joy ; how can we possibly comprehend what intense misery it is to be cut off from all such enjoyments, to have our lives hemmed in by four white blank walls—to see no faces but those of task masters, to hear no voice but that of commanding officers, to be denied all exercise of will whatever,

and to be thwarted into mere living automata forced to do the bidding of others? ”

A terrible indictment !

The refractory cells, which were absolutely and literally pitch dark, were refinements of cruelty. The same writer says :

“ We entered the place with a shudder, for there is something intensely horrible in absolute darkness to all minds, and as the warder shut the door upon us and we felt the dull walls shake and moan like a tomb, as he did so the utter darkness was, as Milton sublimely says, visible. The eyes not only saw, but felt the absolute negation of their sense in such a place. Let them strain their utmost, not one luminous chink or crack could the sight detect.”

Prisoners were confined in these cells for a maximum of twenty-one days. The prison register in 1854 shows that 534 persons had undergone the dark cell punishment in that year. No wonder that the warders of that day found “ some of the convicts are very difficult to deal with.” One of the privileges granted to well-conducted prisoners was the liberty to work. So terrible was separate confinement found to be without occupation, that one of the forms of punishment in Pentonville was the stoppage of work and forcing a man to remain in his own cell in a state of idleness throughout the day. This refinement of cruelty was a spirit of the times, as is illustrated by the fact that it was necessary just one hundred years ago to convene a public meeting in the City “ to support a Bill restraining the hours of labour of children to 10 hours a day, at which the attendance was both numerous and respectable.”

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One characteristic feature of the dress was the wearing of a brown cloth cap, the peak of which hung down so low as to cover the face like a mask, the eyes alone of the individual appearing through the two holes cut in the front, and seeming almost like phosphoric lights shining through the sockets of a skull. This screening of the faces, it was explained, gave a kind of tragic solemnity to the figures and thus there appeared to be nothing vulgar nor brutal about them. It is not surprising that a visitor to the prison described such a one as "like a man-beast caged up in some anthropo-zoological garden."

The results of the discipline and life of this alleged model prison are illuminated in an official report of 1853, which stated that there were 220 cases of insanity, 210 cases of delusions and 40 suicides in every 60,000 persons confined in this prison.

On reception in prison there was a perfunctory inspection by a medical officer, followed by an exhortation from the Governor, asking them to conform to the distressing circumstances in which they had placed themselves, and save him the pain of punishing them for a breach of the prison rules. Any intercommunication among prisoners, he said, was strictly forbidden, and any attempt to hold communion with their fellow-prisoners would be immediately punished.

The Chaplain then improved the occasion, evidently regarding crime and sin as synonymous terms, for he exhorted them "to turn their thoughts to the One Great Being who was still ready to receive and welcome them to a share of His Love." The men were then stripped and made to stand before an

officer in a perfect state of nudity while he examined with disgusting particularity every part of their persons.

The officers barked their orders and left no doubt in the minds of the convicts that prison was a place of punishment and repression.

The chief prison employments were weaving, mat-making, tailoring and shoemaking; men were also employed as carpenters, blacksmiths, cooks, bakers and bricklayers.

Labour, owing to the terrible monotony of separate confinement, was regarded as an indulgence rather than as a punishment; one of the inhuman penal inflictions of this period in this prison was to stop a man's work. The industrial training at Pentonville was intended to prepare convicts intended for transportation to the colonies, but the trades taught were not all suitable for the needs of young convicts. Farming and agricultural work were entirely neglected, though at that time there was no deficiency of suitable land in the neighbourhood of the prison. Prison labour started at 6 a.m. and continued to 7 p.m., with intervals for meals, daily Chapel service and exercise. Amid the cruelties and barbarities of the Victorian prison, it is noteworthy that there was a system of gratuities varying from 4*d.* to 8*d.* a week which was given to a convict on his discharge, provided his conduct and industry were satisfactory.

The breakfast consisted of 10 oz. of bread, $\frac{3}{4}$ pint of cocoa; the dinner consisted of $\frac{1}{2}$ pint of soup, or 4 oz. of meat, 5 oz. of bread and 1 lb. of potatoes; the tea, which was the last meal of the day, a pint of gruel and 5 oz. of bread.

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The Chapel had something of the design of a music-hall ; facing the pulpit was a series of seats rising one after the other after the fashion of a lecture room at a hospital. Each pew resembled a large pigeon-hole ; it held one prisoner, whose head alone was visible, in order that the warders on duty should see that the practice of the separate system was rigidly carried out without any communication between the prisoners.

Wandsworth Prison

Wandsworth Prison, formerly known as the Surrey House of Correction, was built on the instructions of the then Surrey magistrates and was opened in 1851. The historian of this prison says that externally

“ it has nothing to recommend it to the eye, having none of the fine gloomy solemnity of Newgate, nor any of the castellated grandeur of the City Prison at Holloway, nor does it possess any feature about it that will bear comparison with the noble portcullis gateway at Pentonville.”

“ To speak plainly,” he goes on, “ the exterior is mean and ill-proportioned. The architecture of the outbuildings exhibits all the bad taste of Cockney-Italian villas and none of the austere impressiveness that should belong to a building of a penal character. The central mass rising behind the stunted gateway is heavy to clumsiness and the whole aspect of the structure uncommanding as a Methodist Chapel.”

In other words, this House of Correction had, and still has, the external appearance of a real prison.

PRISONS IN THE NINETEENTH CENTURY

This prison was built in consequence of overcrowding at Brixton. Here, it was reported, in each of the seventy cells not less than three and, in some cases, four prisoners ordinarily slept, the dimensions of these cells being eight feet by six feet and eight feet high.

The cost of erection and furnishings of this prison was £136,308, providing 708 cells suitable for the separate confinement of prisoners, 24 reception cells and 22 punishment cells.

Despite the wishes and desires of the inspectors of prisons and the clergy that there should be social worship in prison, the Court magistrates insisted on the separate enclosed pew system as at Pentonville.

This prison accommodated both men and women, and in 1860 there were 640 men and 190 women in residence.

The magistrates of the period objected to tread-wheel labour, not because of its inhumanity, but because of its cost and inapplicability to a prison conducted on the separate system.

Hard-labour (see post, p. 93) consisted in working labour machines in which some 1,200 useless revolutions a day were performed; this was followed by pumping and picking oakum.

Prisoners not sentenced to hard-labour were employed, if men, at gardening, carpentry, tailoring, shoemaking, matmaking, bricklaying, smith-work, netting, printing and cleaning; if women, at laundry-work, picking coir, needlework and cleaning.

The food provided was sparse and monotonous, the amount and quality varying according to sentence. For men and women undergoing a sentence of not less than seven days, a pint of oatmeal was served for

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breakfast and supper, with 1 lb. of bread for dinner. When the sentence did not exceed twenty-one days, 6 oz. of bread were added for breakfast and supper, with a corresponding reduction of bread of 4 oz. (men) and 10 oz. (women) for dinner. Practically this same diet was allotted to prisoners in close confinement for prison offences. No meat was provided.

For hard-labour prisoners, for terms exceeding four months, the breakfast and supper consisted of 1 pint of oatmeal gruel varied by 1 pint of cocoa (for breakfast only), 8 oz. of bread (men) and 6 oz. of bread (women), for dinner, 4 oz. (men) and 3 oz. (women) of cooked meat (or 1 pint of soup) with 6 oz. of bread and 1 lb. (men) and $\frac{1}{2}$ lb. (women) of potatoes. Bread was the staple prison diet, as it is today.

The chronicler of the period says "on the mantelpiece of the porter's lodge is a Bible, a beautiful symbol of the character of this excellent establishment"—he goes on to say of this excellent establishment, that the prisoners "have an envious and sinister appearance as they look at us with hasty stolen glance through the eyelet openings of their mask, which screen their features as at Pentonville."

The prisoners' cells were thirteen feet long, seven feet wide and nine feet high. The furniture consisted of a small deal table, an earthenware night utensil covered with a wooden lid which served as a seat to the prisoner, and washing-bowl. There were three shelves: on the top one rested the bedding (consisting of a canvas hammock, a coverlet, two blankets and one pair of sheets), rolled up like a lady's muff. On the other shelves were kept food utensils with religious and other books.

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The dress of the men consisted of a dark grey jacket, vest and trousers, a blue cotton shirt, stockings, shoes, stock, pocket-handkerchief, flannel shirt and drawers, with a mask covering the face having eyelet-holes. A piece of alpaca cloth was inserted over the mouth for freer respiration. The prisoners were unmasked whilst at Chapel and when confined to their cells. The women wore dark grey clothes, and alpaca veils; their chief offence, whilst in prison, appeared to have been talking; silence being the inexorable rule.

The staple industries were oakum-picking, tailoring, carpentry, smithing, matmaking, shoemaking, baking and cooking, and other trades for prison services.

In the chapel most of the prisoners sat in separate enclosed stalls as at Pentonville; the majority of the inmates not being able to see each other. The exercise was the same as at Pentonville.

Hard-labour consisted of work in the pump-house, the number of revolutions to be performed daily by each prisoner averaging 4,700. There were twelve stalls on each side of the pump, each of which was furnished with a handle connected with the central machinery; this, when in motion, conveyed the water into cisterns on the roof of the prison. Wheat-grinding by hand mills was another form of hard-labour, each prisoner averaging half a bushel a day. Hard-labour machines, worked in the cells, were also provided. These were moved by a crank handle, each prisoner having to perform some 1,200 revolutions a day on this useless and exhausting labour. The pressure averaged from 7 to 12 lb.

The punishment cells in this prison were similar and

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characteristic of all other Victorian prisons. There were fourteen in number, none of which admitted a single beam of light and were as silent as the grave. Prisoners were fed on bread and water. Punishment cells were also provided for women, most of these cells being quite dark. A chronicler describes what he saw in one of these punishment cells in "this most excellent establishment" (see ante p. 92) as follows :

"There was a little girl of twelve years of age confined in one of them at the time of our visit, who had been confined for singing in her cell, against the prison rules. She was drumming in passionate mood at the door of her cell. On our looking in through the eyelet opening, we saw her crouching in a corner of the cell with only one garment wrapt round her and her blue prison clothes torn into a heap of rags by her side. After we left, she continued to beat the door in a violent manner. The reception warder told us that 'she was a very perverse, stubborn girl, and had been shown great forbearance.'"

It is of interest to note that she was kept there two days, yet at the same time as this, a schoolmistress was undergoing a sentence of three years' imprisonment for maltreating a child placed under her care !

Although prisons were governed and controlled by different local authorities, the discipline and conditions of this prison were in general very much the same as other local prisons.

Brixton Prison

Brixton Prison, or the Surrey House of Correction, was, in the middle of the nineteenth century, it is stated, situated in one of the most open and salubrious spots in the southern suburbs of London, with accommo-

dation for 175 prisoners ; the prison population, however, at times amounted to some 400.

Statute provided that one prisoner should have one cell, but apparently it was not unusual to find three persons confined in one cell, while bedding was only supplied for two, with the result that some 25 per cent sick cases a year were usually reported.

The prison was built in 1819-20 for female prisoners sentenced to hard-labour, which is exemplified by the treadwheel, which cost nearly £7,000 ; the prison itself cost £51,780. In 1853 it was used first as a convict prison.

The dress of the prisoners consisted of a loose dark and claret-brown robe or gown with a blue check apron and neckerchief, while the cap they wore was of small close white muslin made after the fashion of a French *bonne*. A chronicler of the period says that the prison costume was " simple and picturesque, the colour of the gown was at once rich and artistically appropriate and gave great value to the tints of the apron and even to the whiteness of the cap itself." The breakfast consisted of 6 oz. of bread and $\frac{3}{4}$ pint of cocoa. For dinner the fare was 4 oz. of cooked meat, $\frac{1}{2}$ a pint of soup, $\frac{1}{2}$ lb. of potatoes and 6 oz. of bread. Those engaged in the labour of the laundry and bakehouse had small additional allowances. For supper the ordinary meal consisted of 8 oz. of bread and 1 pint of gruel. Dinner was preceded by the clattering of a large bell, and by one of the wardresses " screaming at the top of her voice " : " O Lord, bless this food for our use, and us to Thy service, through Jesus Christ our Lord, Amen." All meals were served in the cells, and when served another

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bell rang for silence, after which any prisoner talking was reported for punishment. Apparently, even in a Victorian women's prison, it was impossible to keep women from talking.

At the usual hour of exercise, the women walked in couples "chattering as they went like a large school, so that the yard positively rings as if it were a market-place with the gabbling of the many tongues."

Punishment loomed largely in the ordinary life of this prison. In 1854 no less than 1,209 were punished, 32 were kept in handcuffs and strait-jacket, 288 in refractory cells of semi-darkness, 92 given a bread-and-water diet, 246 deprived of some of their food, the others being either confined to their cells, withdrawn from association, reprimanded or admonished. There was the usual convict nursery at this prison, where if the child was born in prison, it stayed with its mother in its very early years. No child was kept when older than four years. All the clothes for the prisoners at Pentonville (350 men) and at Millbank (820), as well as at Brixton itself, were washed at this prison. As has already been stated, it was impossible to have a no-talking rule even in a Victorian women's prison, and, except at meals, talking, in fact, was freely indulged in, contrary to the universal iron practice in men's prisons. But between eleven and twelve in the morning and seven and eight in the evening, the women sat at the doors of their cells doing needlework, "stitching away in the most startling silence." Even during these two hours of solemn silence, whispering was the rule and not the exception. After the compulsory hour of silence the change from "utter silence to the babbling of some 200 tongues was so immediate as to

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tell us how severe a restraint had been imposed upon the prisoners."

Most of the severe regulations, with the necessary modifications for a women's prison, prevailed at Brixton as at Pentonville.

The labour consisted of laundry work, baking, shirt-making, hemming flannels, stitching of stays and the like. In 1854, more than half a million pieces were washed ; 20,000 shirts were made and also 15,000 articles of feminine underwear, with 3,400 towels.

The gross value of the united labour was estimated at £1,800. The usual gratuities to convicts, payable on discharge, were the same as at Pentonville.

The barbarous practice of putting prisoners in pews like large pigeon-holes was not done at this prison ; women sat in ordinary seats as they do at the present time.

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Those serving less than three months, or those under seventeen years of age, had an extra pint of gruel, less bread and no potatoes. Breakfast was at 8.30, dinner at 2 and supper, the last meal, at 5.30.

In 1860 there were 5,645 men and 2,141 women committed to this prison.

Prisoners made their own beds and cleaned their own cells, and were not compelled to work or labour, but had the option of employment, except that they might be called upon to do the general cleaning and work of the prison. They were also permitted to maintain themselves and receive a reasonable quantity of cooked food (in lieu of prison rations) and a pint of malt liquor per day; they were not, however, permitted to share this food with other prisoners.

Exercise for not less than three hours a day was allowed, but, apart from Chapel services, they were confined to their cells. They were allowed two visitors a day, between twelve and two in the afternoon, and every prisoner was "furnished with the means of moral and religious instruction and with suitable books." In many respects, the arrangements of this prison corresponded with those which prevailed at Holloway or Pentonville.

Horsemonger Lane Jail

This was the Surrey County jail situated in the parish of St. Mary's Newington, Lambeth. The right wing of the prison contained sheriff's debtors who maintained themselves or were supported by their relatives or friends. The left wing was set apart for county court debtors and those who were unable to maintain themselves.

PRISONS IN THE NINETEENTH CENTURY

In 1860 there were 2,455 men (of whom 215 were under 16 years of age) and 874 women (of whom 36 were under 16 years of age) committed to this prison; 48 of the prisoners were under 12 years of age. This prison also contained persons summarily convicted. As at Clerkenwell, the prisoners on detention were permitted to maintain themselves and were allowed to have a pint of beer daily, provided at their own expense; otherwise they had the usual prison rations, which were somewhat similar to those provided at Clerkenwell.

The Hulks at Woolwich

The idea of converting old ships into prisons arose when, on the outbreak of the American War of Independence, the transport of convicts to the colonies became impossible. Convict labour was thus available for cleansing the Thames and other navigable rivers. An Act of Parliament (19 Geo. III, c. 74) provided that for the more severe and effectual punishment of atrocious and daring offenders, any male person convicted of Grand larceny, for which he was liable to be transported beyond the seas, should be kept on board ship and employed in hard-labour in raising sand, soil and gravel from the River Thames and other navigable rivers.

In 1841 there were 3,552 convicts on board the various hulks in England, reduced to 1,298 in 1854. This system was roundly condemned by Sir William Blackstone and John Howard. In one hulk, in 1841, there were 638 convicts; 400 were in hospital and 38 deaths occurred. The great majority of them

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was infested with vermin, cholera was rampant and the hulks rotten and leaky.

The men were fastened up at night in their dens with a single warder in charge. In the daytime the guards were fully armed with carbine and bayonet. These hulks, intended originally as a makeshift under pressing circumstances, continued to be used as prisons for fifty years to the despair of the directors of convict prisons and humanitarians. The men lived, worked and fed in association. Convicts were allowed conduct and industry gratuities varying from 4*d.* to 9*d.* per week, payable on discharge. Men rose at 5.30, breakfast followed, labour commenced at 7.30 and continued till noon, when dinner was served. At 1 p.m. labour was resumed until 5.30, when supper was served at 6; from 6.45 to 8.30 the time was spent in evening prayers, school and repairing of clothing, and all were in bed at 9. There was thus a 15½-hour day, 2¼ spent in meals, 9 hours in labour and 4¼ in indoor occupation and instruction. The food consisted of 12 oz. of bread, 1 pint of cocoa for breakfast, 6 oz. of meat, 1 lb. of potatoes and 9 oz. of bread for dinner, 1 pint of gruel and 6 oz. of bread for supper. One pint of soup was also served three days a week.

In addition to the work of cleansing the rivers, men were engaged in ordinary prison trades, e.g. carpentry, smithing, painting, shoemaking, cooking. There were also ordnance working parties, e.g. employed in removing and stacking of timber, shipping and unshipping stores, cleaning shot and shell.

The library contained such edifying books as Paley's *Moral Philosophy*, *The Pursuit of Knowledge under*

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Difficulties, Sturm's *Reflections on the Works of God*, *The Rites and Worship of the Jews*, *Recreations in Physical Geography*. In fact, the most popular books were *Chambers Miscellany*, *The Leisure Hour* and *Papers for the People* ; *Dickens' Household World* was objected to by the Chaplain as an unsuitable book for prisoners.

Millbank Prison

Millbank Prison, the convict depot, converted to more useful and elevating purposes in the twentieth century, well known to all artists and picture-lovers as the site of the Tate Gallery—was originally guarded like a fortress by a wide moat, which completely surrounded the exterior wall. Its design has been described “as one of the most successful realisations, on a large scale, of the ugly in architecture, being an ungainly combination of the madhouse with the fortress style of building with a series of martello-like towers.” This moat was eventually filled in ; the earth yielded long rank grass of the kind peculiar to graveyards which afforded satisfactory grazing to the one solitary cow that inhabited it.

The ground plan resembled a wheel, of which the Governor's house in the centre formed the nave, while, each two of the spokes constituted the sides of six long pentagons with triangular bases. It was a modification of Jeremy Bentham's “Panopticon or Inspection house,” and the building itself, which was commenced in 1812 and finished in 1821, cost half a million. The entire ground consisted of 216 acres, seven of which were taken up by the prison itself. It was the general depot for persons under sentence

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of transportation or waiting to be drafted to Government gaols and was the largest London prison, accommodating 1,300 prisoners.

Jeremy Bentham's plan was a new and less expensive mode of employing and reforming convicts, in which the prisoners were kept under constant supervision. Each convict was kept in a separate cell in which he worked and slept, except for work at the mills or water machines or while taking exercise. After eighteen months' imprisonment, he was allowed to work in common until 1832, when the former system of separation once more prevailed. In its early days the Governor was a reverend gentleman, who placed an undue reliance on the efficacy of religious forms, with the result that the convicts taking their cue from the governor were "not long in assuming a contrite and devout aspect which found no parallel in their conduct. Sanctified looks were the order of the day and the most desperate convicts in the prison found it advantageous to complete their criminal character by the addition of hypocrisy."

In 1854 there were 2,461 men and 198 women confined within this prison.

The prison was very damp and unhealthy, and as a consequence the deaths in prison were nearly 7 per cent. of the prison population.

The convicts were employed in making soldiers' clothing, biscuit-bags, hammocks and miscellaneous articles for the army and navy, and also clothing for the prisoners. The prison diet for breakfast was : $\frac{3}{4}$ pint of cocoa and 8 oz. (6 oz. women) of bread ; for dinner, 5 oz. of meat, 1 lb. of potatoes and 6 oz. of bread (women had 4 oz. of meat, $\frac{1}{2}$ lb. of pota-

toes and 6 oz. of bread) ; for supper, 1 pint of gruel and 8 oz. of bread. Punishments in 1854 numbered 448, and ranged from whipping to confinement in dark or refractory cells, the only food allowed being 1 lb. of bread.

Convict prisons like Millbank were Government institutions under the management of Her Majesty's directors of convict prisons and supported by payments out of the civil list.

The prison population at convict prisons were kept at labour in order to contribute to their own support and to keep them occupied.

Correctional prisons were county institutions under the mismanagement of the magistrates of the shire to which they belonged and supported by the payments out of the county rates. Where the prisoners were condemned to labour simply as a punishment these correctional prisons were fitted with an apparatus, to carry out the sentence of hard-labour, by making the useless work as irksome as possible.

Coldbath Fields Prison

This was a house of correction for adult male offenders in Middlesex. Coldbath Fields was a district lying between Clerkenwell and Pentonville and is said to have derived its name from a celebrated well of water, formerly situated in the fields thereabouts, but was later covered over. This house of correction, originally built in the reign of James I, was rebuilt in 1794 at a cost of £65,656. The other Middlesex house of correction for females and juveniles was at Tothill Fields (see p. 108).

This prison contained in 1854, 1,495 persons, 919

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in separate cells and the remainder in cells capable of accommodating more than one prisoner. About 9,000 persons were kept in this prison during the year, many of them short-term prisoners. This prison was conducted on the silent associated system, where labour was used as a punishment, e.g. cranks, shot-drill, treadwheel, picking oakum or coir. It is interesting to note here that the treadwheel (called by the prisoners "grinding the wind") was the invention of one, Cubitt of Lowestoft, "a gentleman of science, of extensive connections and of gentle and pleasing deportment." At first each male individual was apportioned 12,000 feet of ascent per day; later, owing to its debilitating influences, this was reduced to 1,200 feet per day.

This prison carried out the Victorian idea that crime and sin were synonymous terms, for in the main prison were placarded such moral precepts as "Swear not at all"; "Behold how good and pleasant it is for brethren to dwell in unity," which seemed inappropriate in a prison conducted on the silent system.

It may not be irrelevant here to explain briefly some of the hard-labour punishments particularly exemplified in this and other prisons. Shortly, the treadwheel, which was intended to grind nothing, and to do nothing, cranks (see *infra*) and shot-drill, which consisted in transferring cannon balls from one place to another.

The treadwheel was a large hollow cylinder of wood on an iron frame, round the circumference of which was a series of steps about $7\frac{1}{2}$ inches apart. The criminal steadying himself by hand-rails on either side, trod on these, his weight causing the wheel to

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revolve and compelling him to take each step in turn. At first the necessary resistance was obtained by weights, thus compelling the criminal to useless toil. Later on, the treadwheel became the treadmill when it was utilised for grinding corn, pumping water and other prison purposes.

The speed was regulated by a brake. Usually it revolved at the rate of thirty-two feet per minute. The prisoner worked for six hours each day, three hours at a time. He was on the wheel for fifteen minutes and then rested for five minutes. Thus in the course of his day's labour he climbed 8,640 feet.

Isolation of prisoners at their work was obtained by screens of wood on each side of the mill converting the working space into a separate compartment.

The crank, alternative to the treadwheel, consisted of a small wheel like the paddle wheel of a steamer, and a handle turned by the prisoner made it revolve in a box partly filled with gravel. The resistance was determined either by the amount of gravel used or by a brake by which a pressure usually of 12 lb. was applied. The prisoner had to make 8,000 to 10,000 revolutions during his six hours, according to his strength, the number being registered on a dial. Later the crank was made to serve useful purposes. Both treadmill and crank were abolished early in the twentieth century. Thus were men taught the beauty and utility of industry !

Oakum-picking at Coldbath Fields was performed in a room accommodating 500 men and in dead silence, and if a man rested a moment he was encouraged and cheered to further industry by seeing on the walls the improving texts, "It is good for

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a man that he bear the yoke in his youth ” ; “ Godliness with Contentment is a great gain ” ; “ Go to the ant, thou sluggard, consider her ways to be wise.”

The discipline was such that in 1854, out of the prison population of 9,180, no less than 9,023 were punished, 5,421 for noise making, insolence and bad language.

Tothill Fields Prison

This house of correction was originally a bridewell in 1618, i.e. a house of correction for vagabonds and loose women, for the parish of St. Margaret's, Westminster.

The situation of Tothill Fields Prison was vaguely described a hundred years ago as being that portion of land between Tothill Street, Pimlico, and the River Thames. Jeremy Bentham, in 1798, said, “ If a place could exist of which it could be said that it was NO neighbourhood, that place would be Tothill Fields.”

It was converted into a gaol for criminals at the beginning of the eighteenth century.

A new house of correction was built in 1834 on a new site situated on the southern side of Victoria Street, which had a frontage in Francis Street, a small thoroughfare leading to Vauxhall Bridge Road. This Westminster Prison contained a gaol for untried male prisoners as well as debtors, a house of correction for males after conviction, and a prison for women.

In 1850, this prison was restricted to the reception of convicted female prisoners and males below the age of seventeen, all other male prisoners being sent to Coldbath Fields.

Accommodation was provided for 300 boys and

600 females, of whom only 198 boys and 351 females had a separate sleeping-cell. The prison population for 1853 was 13,609 males and 3,082 females. The prison was very unhealthy, nearly 50 per cent. of the prisoners being on the sick-list ; deaths averaging 10 every year.

The juvenile offenders were " much more difficult to manage than the adults or else they were more tyrannically treated by their jailers " for the number of punishments meted out to them were more than double those inflicted on adult prisoners, e.g. 11 per cent. of the boys were placed in dark cells.

A sapient writer of the period, however, " protests against the strong and injurious disposition to convert our jails into institutions for inducing mere moral reformation, rather than penance," and awards the " highest praise " to those responsible for the juvenile male portion of this Westminster House of Correction. This same Victorian writer also surveys the causes of crime and concludes :

" Crime, then, it may be safely asserted, is not due, as some say, to an inordinate density of the population, nor to a love of intoxicating liquors, nor to an inability to read or write, nor to unwholesome dwellings, nor to a non-observance of the sabbath : but simply to that innate love of a life of ease, aversion to hard work, which is common to all natures and which, when accompanied with a lawlessness of disposition, as well as disregard for the rights of our fellow creatures, and a want of self-dignity, can but end either in begging or stealing the earnings and possessions of others."

One of the prolific causes of the great number of

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all means of lighting and heating ; here in the winter evenings the women were locked up at 6 p.m. in the dark and cold to pass the next twelve hours. From 40 per cent. to 50 per cent. of the female prisoners were always on the sick list. There was a nursery provided here for mothers and their infants ; but the repressive rule, " Prisoners are not to speak to each other," was not here rigidly enforced. Young children were often kept with their mothers for years during the time they were in prison.

The several forms of labour, lasting some six hours a day, here included oakum-picking, straw-plaiting, knitting and laundry work—all performed in strict silence. Most of the laundry work was done here for this and other country prisons.

The women were all clad in close white caps with deep frills and a loose blue and white spotted dress.

In a return for 1854 the total cost per prisoner per annum was £21 19s. 8d., of which £7 18s. 4d. was spent on food and extra allowances, clothing and bedding cost £1 9s. 5d., and officers' salaries and pensions, £9 15s. 2d.

PART III
LONDON PRISONS OF TODAY

CHAPTER VIII

WORMWOOD SCRUBS PRISON

THIS prison is for male convicted prisoners undergoing sentence of imprisonment for the first time ; the Governor of which is Lieut.-Colonel L. W. Johnson.

The trial of the accused man in the dock has reached its last stage, the Judge has summed up the case to the jury and the jury is instructed to consider their verdict. The jury having conferred, and when it is apparent they have agreed upon their verdict, the foreman of the jury stands up and, on behalf of the jury whom he represents, tells the Court what their verdict is as follows :

The Clerk of the Court : Members of the jury, are you agreed upon your verdict ?

The Foreman of the Jury : Yes.

The Clerk of the Court : Do you find the prisoner at the Bar guilty or not guilty ?

The Foreman : Guilty, sir.

The Clerk of the Court : You find the prisoner guilty and that is the verdict of you all ?

The Foreman : Yes.

The Clerk of the Court (to the prisoner) : You stand convicted of felony. Have you anything to say why the Court should not give you judgment according to the law ?

The Prisoner : No, sir.

The Judge : John Jones, the jury having found you

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guilty, you will go to prison and be kept at hard-labour for 18 calendar months.

The accused person then becomes in law a prisoner and is forthwith put in the custody of officers of the prison, taken downstairs and placed in his cell to await transport to Wormwood Scrubs, that is, if he is a first offender sentenced to imprisonment for the first time. At the conclusion of the day's proceedings, with other convicted persons he is placed in a cell-like van, familiarly called in this country and in America, "Black Maria," which transports him to his place of detention. The tradition is that the van referred to was so-called from Maria Lee, a negress who kept a visitors' boarding-house in Boston, Philadelphia, about a hundred years ago. She was a woman of such size and strength that the unruly stood in dread of her, and when constables required help it was a common thing to send for Black Maria, who soon collared the refractory and led them to the lock-up; hence a prison van was called a Black Maria. Black Marias are of two types, with and without cubicles. Those with cubicles just provide sufficient accommodation for a person to sit down and stand up, the ventilation seems restricted and in hot weather, unless the cell doors are open, must be very uncomfortable.

Wormwood Scrubs was built nearly sixty years ago and consists of four separate halls, each accommodating some 350 cells, all connected by a covered way. Each hall has four landings. Hall A is reserved for boys already sentenced and awaiting allocation to a Borstal institution and for boys on trial or on remand, for this prison is a collecting centre for Borstal boys, and

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all sentenced for this training are sent here first. Hall B is partly reserved for young boy prisoners serving a sentence of from five days to two years ; the other part of Hall B and Halls C and D are reserved for adult men prisoners. Boys and men are kept rigorously apart from one another.

This prison is somewhat unique in that it only accommodates men who have never been in prison before and who have been sentenced to a maximum of two years. Here are incarcerated men of all classes, of all professions and trades, and of all ranks of society from peer to peasant. Prison is a very democratic institution. Every man is subject to the same discipline and conditions ; every man has to perform the labour that he is fitted for, and every man has the same food, and if need be, the same punishments and rewards.

Many of the men are not criminally minded but comprise those who have fallen into crime for the first time through force of economic, social or financial circumstances. It is possible, therefore, here to carry out modern ideas of prison reform. Prison with all its amenities is a terrible punishment, especially for the professional classes. The underlying idea of this prison is chiefly of reformation, and its success in that direction may be seen in that few of the men who have been imprisoned at Wormwood Scrubs ever revert to crime again.

Today, there are no warders or wardresses on the prison staff as such, they are called " officers," and the new name in a measure indicates a change in the administration of prisons and treatment of prisoners.

The conditions, labour, food and life in all prisons

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have many features in common. Those prevailing at Wormwood Scrubs are typical of all prisons and are described with some detail. In dealing with other London prisons it will not, therefore, be necessary to deal with prison conditions in full again except in so far as they differ from those found at Wormwood Scrubs.

THE RECEPTION AT WORMWOOD SCRUBS

On arrival at the prison, the prisoner first of all gives up all his personal property which is duly noted in a book and the entry is vouched for by the prisoner. A form is then filled up by the officer in charge, which includes many personal particulars of the prisoner, e.g. distinctive marks and peculiarities, whether married or single, religion, place of birth, trade, standard of education, residence of next-of-kin, height, complexion, build, dependants, employment on reception, employment prospects, estimate of character of the prisoner, state of health, class of labour and restrictions (on advice of the Medical Officer), weight, prison employment, disposal on discharge, and particulars of assistance rendered.

The prisoner having been stripped (behind a screen) of his civilian clothes, has a bath and then dons prison attire. He is examined by the Medical Officer the same evening, and his finger-prints are taken the following morning. This is the routine for all prisoners of all classes. Unless the Medical Officer considers it necessary to send the prisoner direct to the hospital, he is then taken to his cell and allocated to the First Stage. Every prisoner is placed on reception in the first stage, his promotion to other stages which means

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the enjoyment of certain prison amenities is explained later. His food on reception consists of bread, margarine and cocoa. The bread is invariably served some forty-eight hours after baking.

FOOD AT WORMWOOD SCRUBS

The food is the same for all prisoners in all stages throughout detention, and except for the midday meal has no variation unless special diet is ordered by the Medical Officer for men in hospital or on special labour. There are three meals every day—breakfast, dinner and tea (which includes supper). Breakfast consists of bread, margarine, tea and porridge, popularly called “skilly.” The menu for dinner varies each day and prisoners do not, as a rule, know what their food will be for the midday meal. With dinner is supplied a small quantity of bread. The following dishes were supplied for dinner on various days during January 1933 : preserved beef, savoury bacon, salt beef and dumplings, roast mutton, meat pudding, steak and treacle pudding, soup, hot-pot, beans and bacon, shepherd’s pie, roast beef, boiled mutton, haricot mutton, meat pie, Irish stew, sea pie.

The tea-supper meal, officially called tea, the last meal of the day, is served at 5.30 every day and always consists of the same food, viz. bread, margarine and tea.

THE FIRST DAY IN PRISON

After breakfast the prisoner is taken to the reception-room where he sees : the Chaplain, who ascertains what his religion is and discusses with him matters relating to his family (if any) and arrangements for their

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maintenance ; the Deputy Governor, who assigns him labour according to his physical condition ; the Discharged Prisoners' Aid agent, who makes inquiry as to his prospects of work and life after discharge. In most cases, there is not only the tragedy of a man for the first time undergoing a sentence of imprisonment, but the greater tragedy of his wife and family who are thus bereft of their breadwinner. About eleven o'clock the prisoner is drafted into appropriate labour.

THE DAILY ROUND

There are four stages in this prison in a man's imprisonment ; each stage except the first having certain privileges. The first stage covers a period of two months in all cases, and it is in this first stage that a prisoner may remain during the whole time, if he does not conform to prison regulations.

The daily life of a prisoner in this stage is as follows :

6.0 a.m. Rises, attends to his personal ablutions and cleans his cell.

7.0. Drill, if under 40 and fit, for half an hour, an allowance of 2 oz. of bread and cocoa is made to those only who drill. If over 40, or unfit, he either has open-air exercise or remains in his cell.

7.45. Breakfast is served.

8.35. Labour commences, until 12 noon.

12-1. Dinner is served.

1-5. Labour.

Ten minutes' break from labour morning and afternoon to make up one hour's exercise per day.

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- 5.30. The last meal, commonly called tea (see ante, p. 119). In some cases, if on special labour, cheese may also be served.
- 9.0. Lights out.

In the first stage all meals are consumed in the cell and from 5.30 onwards the prisoner remains in his cell until the following morning. During the evening he has 18 feet of canvas mail-bags to sew, and if time permits, as it usually does, he may read books taken from the library.

Each cell is provided with a wooden plank bed mattress, two blankets in summer and three in winter, with two sheets, pillow-case and slip, and a rug. There are also a wash-bowl and jug, chamber, spoon, tin knife (an ordinary knife and fork are provided for dinner), salt cellar, plate, mug, mirror, cell slippers, dustpan and brush, toothbrush and toothpaste, hairbrush and comb, cell cards as to regulations and diet card.

Lately a great improvement has been effected by providing electric light in the cells instead of lighting by a gas jet outside the cells, which was reflected inside the cells through a window. The whole of this prison is now lit with electric light.

In hard-labour sentences only, if a prisoner is under sixty and fit, for the first fourteen days he sleeps on a plank bed without mattress with, of course, accompanying sheets and blankets. This may be modified by the Medical Officer.

THE STAGES

Every prisoner undergoes imprisonment for the first two months of his sentence in Stage 1 ; he works in association with other men, he eats his meals alone in

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his cell and has two hours' labour in his cell every night. He may attend one lecture each week and the Saturday afternoon concert when a sentence of six weeks or more is imposed.

After having served two months in the first stage, if of good behaviour, a well-conducted prisoner is promoted to Stage 2. The privileges of this stage are :

1. Meals in association. This is usually a valued privilege. During the greater part of the year, the tables are adorned with choice flowers, all provided by the prisoners' friends.
2. Use of the library once a week during dinner-hour to change books.
3. Attendance at all concerts and lectures.
4. Attendance at classes in the evening.
5. Freedom from cell task, if attending three classes per week.
6. Recreation in the Hall in association on alternate Saturdays and Sundays from 5 p.m. to 7 p.m.
7. A letter and a visit every 21 days.

These privileges are granted by the Governor, and in case of abuse or bad conduct they may be taken away and the prisoner degraded to the first stage.

After being in the second stage for a minimum period of six weeks, a prisoner may be promoted to Stage 3, the privileges of which are :

1. An unlimited number of library books (within reasonable limits).
2. To remain at the dining-tables in association until 7 p.m. (Sundays 8 p.m.).
3. Exercise in a separate yard in association (but under supervision), instead of "on the ring" at week-ends and when there is no drill.

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The minimum period for promotion from the third to the fourth and final stage is six weeks, and the privileges are as follows :

1. Exercise in association without supervision.
2. Occupation of front seats at concerts and lectures.
3. Excused sweeping up (after tea only) provided substitute can be found from second- or third-stage men.
4. Bed down any time after tea.
5. Handball on summer evenings between 6 p.m. and 7 p.m.
6. Use of recreation room with issue of daily newspapers and use of games.
7. Visit and letter allowed every 14 days (the visit is open, men being allowed to sit with their friends).

There is a Committee of table leaders which meets every Sunday and which can deal with all matters affecting stage privileges. If a prisoner wishes to bring anything to the notice of the Committee he should consult a table leader.

Prison amenities are exclusively reserved for prisoners of the second, third and fourth stages.

LABOUR

The labour consists of the following : gardening, tailoring, wood-chopping, laundry, shoemaking, brush-making, carpentry, canvas-bag making, baking, cooking, work connected with stores, administration, library, and cleaning of the prison.

The articles made are exclusively used for the prison service, or for Government Departments, and consist of mail-bags and other articles used by the Post Office,

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packing-cases, furniture for polling booths, brushes of all kinds, clothes for prisoners and officers' uniforms. Some idea of the work done may be ascertained from the fact that in the course of a year some 772,000 bundles of firewood are prepared and some 97,000 brushes and brooms are made.

Jewish prisoners predominate in the tailoring shops and it is surprising to note the excellence and skill shown in the various trades carried on in prison by men who previously had no knowledge or experience of the trade.

RELIGION

Ex-governors and ex-prisoners have from time to time published their views on religion in prison. There may have been some justification for cynical observations on this matter when attendance at chapel was compulsory and formed part of the prison discipline. Religion is a personal matter for a man, and the prison authorities have wisely made attendance at chapel a voluntary act, and apparently no material benefit or favour can be obtained by attending chapel. Charity would therefore assume that those who voluntarily attend prison chapel are as sincere and genuine as those who attend places of worship outside prison. A man's religion is his own and it is obvious from letters written by ex-prisoners to the chaplain and priest, that they have derived spiritual help and blessing from religious ministrations and observances in prison. Naturally the man who has found consolation and assistance in religion whilst in prison does not write about it in the public press ; adverse criticism usually comes from the cynical and the indifferent.

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The chaplain, whether Anglican (Rev. W. L. Cottrell) or Roman Catholic, (Rev. J. Musgrave) has a difficult task to perform, he is a servant of the State and a minister of religion to the men he tries to help and serve.

There are three places of worship at Wormwood Scrubs, a beautiful chapel for members of the Church of England, an equally attractive chapel for the Roman Catholics, and a synagogue for Jewish prisoners. The authorities have wisely provided that these places of worship are not institutional or official in form or design ; they are places which would appeal to and be appreciated by those who are outside prison life. It is suggested, that the religious facilities provided at this prison are valued tremendously by the majority of those attending, and form an important part in the work of reformation and redemption of the men who have broken their country's laws and are suffering imprisonment accordingly. As previously stated, there is therefore no compulsory attendance at chapel and during chapel hours the prisoner who is indifferent (but he must have some reasonable objection, conscientious or otherwise) may remain in his cell and read a book from the library.

A visit paid to the Anglican service at Eastertide revealed the fact that it was a voluntary service very similar to that of services held in an ordinary church. There were no officers in attendance at the chapel, although there were some 450 prisoners present. The service was simple, devotional and dignified. The men were attentive and behaved with greater decorum and reverence than congregations outside usually exhibit. There was no talking or fidgeting or leaving

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the chapel before the sermon. Ordinary parish priests would greatly appreciate the hearty congregational singing, which was tuneful and in unison, led by an organ well played by one of the officers.

The Chaplain preached a short, arresting sermon in a voice which reached every ear ; a sermon which might very well have been delivered to any congregation. The grey dress—without the broad arrow so beloved by popular fiction writers—worn by the men is not unattractive. It helps them to keep their self-respect. Religion in this prison is treated as it is outside—as a matter for one's own opinion or conscience. Since man is a gregarious animal most of them, however irregular their church attendance may be outside prison, attend the prison services, which they appear to appreciate to the full, and there is no doubt they do enjoy what is elsewhere called "community singing."

In the Church of England chapel there are the following services on Sunday :

- 7.15. Holy Communion, at which *no* officers are present.
- 9.30. Service for boys.
- 10.45. Service for men, one hour, with sermon.
- 1.45. Service for boys.
- 2.45. Service for men with music, no sermon.

There are mid-week services on Tuesdays and Thursdays at 7.45 a.m. for boys, and for adults on Wednesdays.

Men rise at 7 a.m. on Sundays and have exercise for one hour after breakfast.

Any man is entitled to have a Minister of his denomination or faith to visit him. Jews have their

appropriate services on Saturdays ; Nonconformists on Wednesdays. The Church Army plays an important part under the auspices of the Chaplain in the work of reformation and redemption.

FLOGGING AND PUNISHMENT

Flogging and birching are inflicted as a part of the sentence of the Court. Both may be administered for grave prison offences, e.g. violent assault on the officers, but in fact no prisoner has been flogged or birched for purely prison offences for some eight years at this prison. The usual punishments for prison offences are : No. 1 punishment, consisting of bread and water, separate confinement (but not in a dark cell) up to three days, and/or No. 2 punishment, consisting of gruel and bread for breakfast, tea and supper, and potatoes, bread and gruel for dinner, and separate confinement up to fourteen days. These punishments may be ordered by the Governor alone ; he may also reduce men in their stages up to fourteen days or suspend remission of sentences up to the same number of days.

If brought before the visiting justices (comprising local justices of the peace) for serious prison offences, a prisoner may be sentenced to fourteen days' close confinement together with fifteen days' No. 1 punishment, followed by forty-two days' No. 2 punishment. In addition, a prisoner may be deprived of his stage up to twenty-eight days and also of his remission of sentence up to twenty-eight days.

The cat-o'-nine tails, familiarly called " the cat," consists of a wooden handle of about a foot in length, covered with cloth, at the end of which are nine

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straight (not knotted) whipcords about eighteen inches in length. The cat is inflicted on the back and shoulders, and a prisoner sentenced to eighteen strokes with the cat gets in fact 162 lashes. This is obviously a very painful and unpleasant punishment, but it is said to leave no permanent marks. Opinion, naturally, varies as to whether this punishment is brutalising and degrading, or even as to its use being a deterrent from crime. The birch consists of some eight twigs fastened together, the infliction of which is on the posterior, and is less painful than the cat.]

The cat originally was probably used on board ship when ropes would be handy. Several ropes on board ship are called "cats," e.g. cat-harpings for bracing the shrouds ; cat-falls which pass over the cathead and communicate with the cat-block. The cat is no longer used in the navy or army as formerly. Titus Oates, in the reign of James II, it is said, received 17,000 lashes between Newgate (Old Bailey) and Tyburn (Marble Arch).

THE LIBRARY

There are some 15,000 books in the library. Prisoners in Stage 1 are allowed one educational book and one work of fiction each week ; those in Stage 2, four books, and those in Stage 3, an unlimited number of books within reasonable limits. Apart from fiction, the most popular books are those dealing with travel and adventure. There is a great variety of books, including books relating to moral instruction and religion, arts and literature, biographies and memoirs, education, languages, law, mathematics and science, philosophy, the drama, sport and travel, reference

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books, shorthand, naval and military affairs, economics, and natural philosophy.

In addition, a prisoner may have special books, approved by the Governor, from his friends or relatives, provided that, after his use, they become the property of the prison for the use of other prisoners.

SOME GENERAL OBSERVATIONS

The prison population of Wormwood Scrubs consists of some 800 men prisoners and some 400 boys undergoing Borstal training, serving sentence of imprisonment, on remand or awaiting trial. Wormwood Scrubs has two striking characteristics which have a great reforming effect on the prisoners. Prison life is necessarily dull and monotonous, but that dullness is greatly alleviated by the constant work and occupation provided for the prisoners. There is no loafing or idling about the prison. Every prisoner, especially those in the second, third and fourth stages, has plenty of work and recreation to occupy his mind and hands during the day, and in his leisure time has amenities which awaken and maintain his association with the outside world to which he will one day return.

The second characteristic is the apparent absence of discipline, yet at the same time there is, in fact, perfect order and discipline. This may be best illustrated by a story which the author personally vouches for. On one occasion, some years ago, he gave a lecture to the prisoners. Some 300 men had assembled in the lecture-room but there was a shortage of officers available. It was suggested then that the 300 men with the lecturer should be locked in the lecture-room alone. The lecturer, of course, acquiesced. The lec-

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ture was given on a very dry subject, yet there was perfect order and discipline during the whole time, and everyone was very attentive and interested. The only disconcerting incident happened when a question on the subject of the lecture was asked by one of the men, which the lecturer was unable to answer, causing much amusement to the men and also to the lecturer. At the end of an hour an officer unlocked the door, the lecturer left and the men followed out in good order.

In the workshops and grounds there appears to be at first sight few, if any, officers in control or command. They have to be looked for and then it is astonishing how one officer is regarded and properly regarded as sufficient for the supervision of so many men. Prisoners, after all, are human beings. Irksome and unnecessary discipline, advocated by some Governors, merely antagonises a man undergoing imprisonment and unfits him for the place in the outside world which he must some day fill. Here, men are placed on their honour and trust; if that honour and trust are abused, they are promptly deprived of their privileges, and they soon find that the way of the ill-behaved transgressor is indeed hard. Wormwood Scrubs is fundamentally a reformatory and only incidentally a place of punishment and deterrence.

The results of this treatment follow the view that a prisoner is a man who has gone astray; he is fully punished by the restraint on his liberty and the deadly monotony of prison life and its unpleasant associations. Some 90 per cent. of those who are imprisoned at Wormwood Scrubs never return to crime. It is true that they are all first offenders, undergoing their first

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imprisonment, but it is suggested that many of the old lags and habitual criminals might have been reformed if on their first imprisonment they had been treated as human beings and not as outcasts of society.

One useful branch of the work of this prison is the great assistance given by ladies in getting a complete history of the life and conduct of boys detained here before or after their trials. This report is sent to the magistrate or judge who has to consider what sentence he shall give ; in many cases this report enables him to avoid sending the boy to prison and to agree to putting the boy on probation.

EDUCATIONAL CLASSES

If a prison is a penal hospital for the reclamation and reform of those who have gone astray, it is obvious that their minds should be trained and cultivated. Educational classes supply this want, which are conducted by voluntary teachers from 6.15 to 8 p.m. The subjects include : algebra, biology, biblical exegesis, bricklaying, bookkeeping, chemistry, civics, debates, drawing, economics, English, elementary engineering, French, geography, German, history, gardening, literature, mathematics, mechanics, nature study, poetry, physics, Spanish, shorthand and salesmanship.

Handicraft and other classes are also conducted in the evening by the officers, including boot-repairing, carpentry, engineering, first aid, gymnasium, hod-carrying, gardening and knitting. Second-stage men are entitled to attend these classes after being in prison two months, provided their conduct and industry are satisfactory.

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In addition to the classes, concerts are given on Saturday afternoon and lectures on Thursday evening. In 1932 were given 57 concerts and 50 lectures. The concerts consist of good classical and popular music, performed gratuitously ; the lectures consist of general subjects and travel by professors and business men, e.g. Gordon Selfridge, and the late Sir Herbert Austin, who once gave a very entertaining lecture on "The Old Bailey."

The dress of men prisoners consists of a grey suit of clothes. The broad-arrow mark is conspicuous by its absence. The boys wear a brown coat, shorts and stockings. The second-stage men, i.e. after two months' good conduct and industry, wear one stripe ; third-stage men wear two stripes ; fourth-stage men wear three stripes.

Well-behaved men are put into honour parties and are allowed to walk about to their work without the escort and supervision of officers.

It is not without interest to note that there is now no close cropping of the hair, as was done in the past.

BORSTAL TRAINING

Wormwood Scrubs is a collecting prison for all boys throughout the country sentenced to Borstal training ; they remain there pending allocation to an appropriate Borstal institution for some seven or eight weeks. The idea prevalent in some minds that a Borstal institution is a sort of public school is grossly exaggerated. It may be that a public school spirit is inculcated in a Borstal institution, but detention in such an institution is in many respects the same as detention in an ordinary prison. The work of a Borstal

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institution is of great national importance, full of difficulties and perplexities, and it is lamentable that some music-hall comedians treat Borstal boys and training with levity and ridicule.

The statutory provisions relating to Borstal institutions are as follows :

The Prevention of Crime Act, 1908, section 1 (1) (as amended by the Criminal Justice Act, 1914, section 11), provides : " Where a person is convicted on indictment of an offence for which he is liable to be sentenced to penal servitude or imprisonment, and it appears to the Court—

(a) that the person is not less than sixteen nor more than twenty-one years of age ; and

(b) that, by reason of his criminal habits or tendencies, or association with persons of bad character, it is expedient that he should be subject to detention for such term and under such instruction and discipline as appears most conducive to his reformation and the repression of crime ;

it shall be lawful for the Court, in lieu of passing a sentence of penal servitude or imprisonment to pass a sentence of detention under penal discipline in a Borstal institution for a term of not less than two years nor more than three years."

The Criminal Justice Administration Act, 1914, section 10, provides :

" (1) Where a person is summarily convicted of any offence for which the Court has power to impose a sentence of imprisonment for one month or upwards without the option of a fine, and—

(a) it appears to the Court that the offender is not less than sixteen nor more than twenty-one years of age ; and

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- (b) it is proved that the offender has previously been convicted of any offence or, that having been previously discharged on probation, he failed to observe a condition of his recognizance ; and
- (c) it appears to the Court that by reason of the offender's habits or tendencies, or association with persons of bad character, it is expedient that he should be subject to detention for such term and under such instruction and discipline as appears most conducive to his reformation and the repression of crime ;

it shall be lawful for the Court, in lieu of passing sentence, to commit the offender to prison until the next assizes of quarter sessions, whichever appears to the Court to be more convenient, and the court of assize or court of quarter sessions as the case may be shall inquire into the circumstances of the case, and, if it appears to the Court that the offender is of such age as aforesaid and that for any such reason as aforesaid it is expedient that the offender should be subject to such detention as aforesaid, shall pass such sentence in a Borstal institution as is authorised by Part I of the Prevention of Crime Act, 1908, as amended by this Act ; otherwise the Court shall deal with the case in any way in which the court of summary jurisdiction might have dealt with it.

“(2) A court of summary jurisdiction or court of assize or court of quarter sessions as the case may be, before dealing with any case under this section, shall consider any report or representations which may be made to it by or on behalf of the prison commissioners as to the suitability of the offender for such detention as aforesaid, and a court of summary jurisdiction shall, where necessary, adjourn the case for the purpose of giving an opportunity for such a report or representations being made.”

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Boys drift into crime mainly through unemployment, bad homes or bad environment, imitativeness, an absence of hobbies or interest in sport, and a love of adventure. At the age of fourteen a boy leaving an ordinary council school enters the labour market and at sixteen is often cast adrift because he becomes insurable and a financial burden to his employer. This reaction to loss of employment leads him to endeavour to re-establish his position by dishonest means. Being out of work, he is robbed of comfort and security, and there is a regrettable tendency to commit crime to regain that comfort and security. Often his first move is to steal a motor-car—unattended cars give him this opportunity—and he uses the car as a means of carrying out unlawful acts ; he rarely attempts to sell the stolen car.

Crimes committed by boys are generally stealing cars, house- and shopbreaking, petty larcenies and theft from automatic machines in telephone kiosks, lavatories and other places.

The training at Wormwood Scrubs is largely physical in order to fit the boy for strenuous labour when he leaves for a regular Borstal institution and consists of physical drill, sawing and chopping wood, and gardening. From a life of idleness and loafing he rapidly becomes accustomed to hard work and soon acquires the work-habit. The diet, treatment and conditions are practically the same as that of other prisoners here, and the general routine and life is also practically the same. Punishment may consist of removal of privileges, No. 1 punishment (see ante, p. 127) and stone pounding.

The prison amenities consist of weekly reading of

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news and items of special interest, lectures on travel, educational and other matters ; games are also provided, e.g. draughts, chess, dominoes, but not cards. Each boy is entitled to have three books a week, one of which is educational, and two fiction. He is allowed one visit and one letter a month. During the visit, his visitor sits opposite him with a table between them.

The aim and object of Borstal training, which starts here, is reformatory and is directed to endeavour to revolutionise the boy's ideas, so that he himself gets a desire to reform. The problem is mainly an individual one.

The reform of men first offenders is easier than that of Borstal boys. A man is more settled in his habits and out of prison has probably a home, a job and domestic attachments. A boy, on the other hand, is somewhat of an inexperienced and undeveloped adventurer on life's pathway. Borstal boys here usually, as in the case of the men, have their meals in association, and work and play together. It is sometimes said that this association is harmful, but on the whole association with other boys tends to breed a spirit of self-confidence. Borstal training is expensive, the cost per boy being approximately £96 per annum, but it is expensive because it is experimental ; each boy is different and usually cannot be put in a schedule or a category ; the qualities necessary for this work are patience, a fund of human understanding and a keen sense of humour.

CHAPTER IX

HOLLOWAY PRISON

THE prison population consists of women adult prisoners and women convicts ; the Governor and Principal Medical Officer is Dr. John Hall Morton.

The prison staff consists of a Deputy Governor (Miss Mary Size), Chaplains, women Medical Officers, Hospital Superintendent, disciplinary staff numbering about sixty, and a hospital staff consisting of two principal sisters and twenty-nine fully qualified nursing sisters. There are also eight men officers, whose work is confined to attendance at the gates and in the stores. With the sole exception of the Governor, women officers are exclusively employed in the control and discipline of the prison.

BUILDING AND POPULATION

Holloway Prison was built about a hundred years ago to replace Newgate Gaol, and is now used exclusively for women prisoners. Like all prisons, it has a grim and forbidding appearance, though the front entrance is supposed to be a replica of Warwick Castle. The building is star shape with seven wings or halls of four stories, each wing containing a different type of prisoner.

There are the following halls :—

A hall for prisoners suffering from venereal disease, which is fairly prevalent amongst women prisoners of a certain class.

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B hall for long-time prisoners including convicts.

C hall for short-time prisoners undergoing a month's sentence. Special arrangements are also made here for debilitated and old-age prisoners.

D hall for first offenders and second-division prisoners.

DX hall for young prisoners, viz. 16–21 years of age.

E hall for prisoners on remand and awaiting trial.

F hall for prisoners on remand and awaiting trial suffering from venereal and other contagious diseases.

In addition, there are two hospitals for the accommodation of convicted and remand prisoners respectively, who require special treatment.

The cells are whitewashed or painted, the floor is either flag or board. In the hospital the floor is covered with linoleum. There is central heating and the cells are lighted inside by electricity. Formerly a gas-jet was placed outside the cell, the light being reflected through a special window. The furniture consists of bedstead, mattress, usual bedclothing, including sheets, blankets and rug, table and chair, looking-glass, washstand with toilet accessories, towels, plate-cloths; photographs and picture postcards are allowed. A shelf contains salt-pot, tooth-powder, and devotional and library books. Each cell contains the rules and regulations on a card, also a card showing the food each prisoner is entitled to.

Each prisoner wears a Sister Dora cap, and check apron with bib. According to the division in which the prisoner is, so is the colour of the dress. Pink cotton is worn for first-division prisoners; green cotton for second-division prisoners; and butcher blue for third-division prisoners. Remands and those

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awaiting trial wear a blue dress with a thin white stripe. Young prisoners wear a brown dress. Shoes, which are prison made, have straps with flat heels ; woollen stockings are also provided ; underclothes are either of cotton or flannel, according to the requirements of the individual.

Holloway is a general prison for seventeen counties, but was originally, up to 1903, a prison for men and women for the City and County of London. The total accommodation for prisoners is 975, but its prison population is about 422. It houses three classes of persons :

1. Convicted prisoners serving a maximum period of two years comprising—

(a) Star prisoners, i.e. those who are serving a first sentence, and whose friends and relatives are respectable.

(b) Second-division prisoners.

(c) Third-division prisoners.

(d) Young prisoners.

2. Remand prisoners, i.e. those who are awaiting trial. Remand prisoners are kept apart from convicted prisoners, many of whom, especially in serious charges, e.g. murder and manslaughter, are detained in hospital for medical observation as to their mental and physical condition. Women are frequently remanded in custody by Judges for a medical report to enable them to ascertain what punishment, if any, should be given. These may either be mentally defective, i.e. persons whose mental make-up is deficient, or insane, i.e. persons whose brain is sick. Such persons

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invariably wear their own clothes unless they are insanitary, when prison garb is provided.

3. Convicts serving a sentence of three years and upwards of penal servitude. These are recidivists, i.e. prisoners who often return to crime and hence to prison.

RECEPTION AND LABOUR

On arrival at prison, all prisoners, whether convicted, unconvicted or on remand, are taken to the reception-rooms, their personal belongings are taken away and an account thereof is entered into a book and vouched for by the prisoner. A bath follows, if physically fit, after which the prisoner dons prison attire, but only in the case of convicted persons. All prisoners on reception are seen by the Medical Officer ; particulars about them are taken and noted as in other prisons (see ante, p. 118), though finger-prints are not taken automatically in all cases.

As a rule, finger-prints of remand prisoners or those awaiting trial are only taken at the request of the police. Finger-prints of first-division¹ prisoners are not taken. Only certain offences, e.g. abortion, housebreaking, perjury, shop-stealing, bigamy, and many others, are regarded as finger printable, but if it is considered necessary in the interests of justice to take the finger-prints of a prisoner sentenced for an offence not enumerated, this will be done and a reason given for so doing. Finger-prints are not taken on reception if there is any likelihood of an appeal ; ten days is the time allowed for appeals to the court of criminal appeal, and seven days for appeals to quarter sessions.

¹ See post, p. 251.

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The prison occupations are laundrywork, needlework, gardening, housework in officers' quarters, general cleaning of prison and own cell. As a rule most women's cells have iron bedsteads. These are not provided for men except those in hospital.

On the following morning, prisoners are seen by the Governor or Deputy Governor and according to their physical fitness they are allotted work ; they also have an opportunity of consulting the Governor on any morning in case of need.

HOLLOWAY PRISON IS A HOSPITAL

Holloway is unique in that it is governed by a medical man who is in supreme charge ; in all other prisons the Governor is usually an ex-service man or one who has had previous prison administrative experience. Although the exterior of the prison is cold and grim, the interior is bright and cheerful, due largely to a colour scheme which gives the maximum amount of light. The prison itself has the general appearance of a well-equipped and well-organised hospital. A casual observer would think that it was somewhat over-staffed with nurses and servants, but a closer view would reveal the fact that those who appeared at first sight to be nurses were prison officers (no longer called wardresses) and the servants, prisoners. One distinguishing characteristic of Holloway is its cleanliness and orderliness and its spick-and-span general appearance. Dirt and untidiness are strangers to Holloway which is reflected in the bearing and conduct of the prisoners.

In regard to women, crime may often be the result

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of some mental or physical disorder and it is appropriate that Holloway seems to be rather a hospital than a prison, and the keynote of the prison is reform rather than punishment. Educational classes play a very important part in the prison regime. There are school classes, conducted by university women, every evening from 6 to 8 for those between 16 and 21 and for those between 21 and 25 years of age. It is surprising how badly educated many of the prisoners are, and it is suggested that probably one cause of this is the advancement of children from class to class in Council Schools on an age, rather than on an ability standard.

There are also general educational classes dealing, *inter alia*, with handicraft, citizenship, leather work, hand-weaving, embroidery, pottery, history, gardening, dressmaking, cookery (artisan and middle class), basket-work, housewifery, English literature, and for young prisoners only, gymnasium and morris dancing—all conducted by voluntary workers.

THE DAILY ROUND OR BELL SCALE

The daily round of a prisoner at Holloway is officially called the "Bell Scale," because each duty is announced by a bell. The scale is as follows :

Weekdays

6.10 a.m.	Bell rings. Prisoners rise.	
6.45	„ Associated labour commences.	(Laundry work, cleaning, etc.).
7.15	„ Labour ceases.	
7.25	„ Prisoners' breakfast.	
8.40	„ Chapel.	
9.55	„ Exercise.	
10.0	„ Labour commences.	

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12.0 noon (12.15 Saturdays). Labour ceases. Prisoners' dinner served.

1.40 p.m. Labour commences.

5.40 „ Labour ceases.

5.50 „ Prisoners' supper served.

6.30 „ Brabazon classes and cellular labour commences.

Brabazon classes are the ordinary work classes held in the prison. They were originally started under the auspices of the Brabazon Society, which Society hold similar classes in Public Assistance Establishments.

8.0 „ Labour ceases.

9.0 „ Lights out.

Saturdays (as above to 12.15 p.m.)

1.40 p.m. Labour commences.

4.15 „ Labour ceases.

4.20 „ Suppers served.

DIETARY

The following diet is given on the day of first reception : breakfast, bread, margarine, porridge and tea ; dinner, bread and preserved meat ; supper, bread, margarine and tea.

After the day of first reception, the dietary is as follows :

Breakfast, daily : Bread, margarine, porridge and tea.

Dinner, daily : Bread and one of the undermentioned dinners :

Beans and bacon, preserved beef, roast or boiled beef, beef and treacle pudding, boiled beef and dumplings, haricot mutton, hot-pot, Irish stew,

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savoury bacon pie, meat pie, meat pudding, boiled mutton, roast mutton, sea pie, shepherd's pie, soup, stewed steak, and treacle pudding.

Supper, daily : Bread, margarine and tea.

Prisoners on remand or awaiting trial who are entitled to purchase their own food, but do not do so, offenders of the Second Division, and debtors, receive the above dietary.

Any prisoner who satisfies the Governor that she is a vegetarian, may, on application, be allowed a vegetarian diet. Similarly any prisoner who has a religious scruple as to any particular article of food may apply for a substitute.

Breakfast and supper are the same for persons having a vegetarian diet. The dinner for this diet includes bread and potatoes as staple foods, in addition to which are provided, varying each day, one or more of the following : rice and flour puddings, beans, peas, cheese, margarine, and vegetable soup.

REWARDS AND AMENITIES FOR GOOD CONDUCT AND INDUSTRY

Good-conduct stripes are awarded once a month up to a total of three. On obtaining the first stripe a prisoner is entitled to attend classes and lectures and to an extra library book. First-division, second-division and young prisoners, however, may attend classes from the beginning of their sentence.

The progressive system is in operation here and all prisoners are regulated by a system of marks. Each woman is awarded six marks a day provided conduct and industry are good. When she has earned 224 marks she is placed in the second stage, when

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she obtains the stripe and may attend classes, lectures, concerts and have an additional library book. After getting a further 224 marks she is placed in the third stage and is given a second stripe, which carries no further privileges. After getting another 224 marks she is placed in the fourth stage and remains there until the end of her sentence, but gets no more privileges. A remission, based on marks, of one-sixth of the whole sentence is allowed to prisoners undergoing a sentence of more than a month. Six marks a day are given to every prisoner if her conduct and industry are satisfactory. The loss of ten remission marks may mean the loss of two days' remission.

The library consists of educational, devotional and fictional books, e.g. Scott, Dickens, Galsworthy, Ethel M. Dell and other modern writers. Most of the fiction relates to love stories and stories of domestic life ; only detective and lurid stories are avoided. Regulations provide for one book per week, either educational or travel ; after the first month an extra book of fiction weekly ; after two months two books of fiction are allowed weekly, and also a second educational book. In addition, devotional books are issued to all prisoners on day of reception.

SOME GENERAL IMPRESSIONS

The appearance of the prisoners is that of philosophic resignation ; they are apparently neither sullen nor unhappy. Some soon get used to the confinement and appear to be as happy as those outside prison.

Food is eaten in the cells except in the case of

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first offenders, second offenders and young prisoners—those have their midday meal in association, but breakfast and tea are eaten in the cells.

Prisoners are, in appearance, very much like those outside who may deserve to be inside. There is no criminal face, criminal type or criminal class. Outside they may indulge in their fads, inside they must obey rules. Quite 95 per cent. are amenable to prison discipline and the other 5 per cent. find that the way of the transgressor is hard and unpleasant.

Sentences vary from five days to life, which is usually twenty years. The effect on the prisoner naturally depends entirely on the individual; some are reformed, others become worse; some regard it as an unpleasant, severe lesson, others regard it as if they were heroines. The work consists of training young girls in housework, cookery and table service. They are examined periodically and certificates are awarded. The older women, who usually return to their homes on their release, in prison learn laundry work, cookery, needlework, knitting, dressmaking, housewifery, domestic work as servants, or factory work.

SUNDAY IN PRISON

The women rise on Sunday at 7 o'clock and up to 8.45 spend their time cleaning their cells and reading; breakfast is served at 7.45. Except when at Divine Service, they may have exercise, i.e. walking around the exercise ground. At 12 o'clock dinner is served. Those who do not attend service in the afternoon have further exercise. Tea is at 4.30 and occasionally concerts are given at 5.30.

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Concerts are much appreciated and enthusiastically applauded. Sunday, being a day on which no work is done other than the cleaning of cells, is a long day. From 4.30 to 9, when lights are put out, most of the women are kept in their cells, where they read or do fancy-work. Those who have been in prison over twelve months and are of good behaviour have a recreation hour between 6 and 7, during which time they read illustrated periodicals.

Divine service at this prison is an important function and attendance is quite voluntary, and though the chapel has necessarily an institutional atmosphere and design, it is none the less appropriate for its sacred purposes. The services are well attended, the women are well behaved, devotional and reverent, and show a good example both in attendance and conduct to those who deign to attend service outside prison. The Roman Catholic service is at 9 o'clock and is conducted with all the dignity and ritual of that church. The Church of England service is at 10.30 and at 2.45 in the afternoon, and like the Roman Catholic service is reverently and carefully followed by the women. Both services are homely in character and are distinctly reverential and not official. The officers are not obtrusive, they do not detract from the main object of the service, viz. worship. They sit behind the women and form part of the congregation. Recidivists (i.e. those who have been in prison before) sit in the body of the chapel dressed in grey, the star prisoners (i.e. women undergoing a first sentence but otherwise respectable and well behaved) wearing a blue dress with a star on their arm, and second-division prisoners wearing a green dress, sit in a side

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chapel. Young prisoners, wearing a brown dress, sit in the gallery. Persons on remand sit in a curtained side chapel where they cannot be seen by the other prisoners ; these wear their own clothes if suitable ; otherwise they are provided with prison dress. Sunday is the day when clean dresses are provided ; the general effect of the prison dress is not unbecoming, and, like all uniforms, is not unattractive.

Religious services play an important part in the lives and emotions of women prisoners and obviously are much appreciated by all those who attend. The sermon of the Chaplain on a visit paid about Easter, 1933, was homely and practical and was listened to with rapt attention by the congregation. The simple story he told of the small boy and the apple which the hungry boy did not purloin evoked many smiles. There was no preaching at or down at the congregation which used to be so unfortunately common in Victorian times ; just a simple sermon that might well have been given in a village church.

The chapel serves both for Anglican and Roman Catholic services, a screen being placed in front of the reredos during the latter service. The small organ is in the gallery and the singing is bright and cheerful and in tune. To an outsider, the chapel, though eminently suitable and appropriate for its purpose, lacks beauty, due probably to the desire of the Treasury to keep prison expenditure within reasonable limits. The taxpayer is already heavy laden with financial burdens, but rich philanthropists might well, at times, allocate some of their superfluous wealth in providing beautiful chapels and fine organs for the benefit of our social misfits in prison.

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PUNISHMENTS

Punishments may be within the powers of the Governor, or within the powers of the visiting justices. The Governor has power to deal with minor offences, e.g. disobedience, using foul language, and the possession of prohibited articles. One of the commonest prison offences is the trafficking in food from the kitchen, snuff and cosmetics.

He may inflict No. 1 punishment of three days' close confinement, e.g. locked in cell, but if of good behaviour the woman may go to chapel and exercise. The food provided is bread and water. No. 2 punishment may be inflicted up to 14 days. The food consists of bread and water for breakfast, potatoes, porridge and bread for dinner, and bread and tea for supper. On No. 1 diet, prisoners need not work ; on No. 2 diet, prisoners must work.

In male prisons, but not in female prisons, the Governor has power to take away from the prisoner his mattress for a period not exceeding three days. Misconduct may also lead to loss of remission marks up to 14 days, and also to forfeiture of privileges.

The visiting justices may inflict further punishment, viz. (1) 15 days' No. 1 punishment. This in practice is three days bread and water diet ; three days ordinary prison diet alternately, which means in fact fifteen days' No. 1 punishment of bread and water diet in all. (2) 42 days' No. 2 punishment without intermission. No corporal punishment is inflicted on women prisoners.

Violent prisoners are placed in padded rooms.

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PRISON AMENITIES AND PRIVILEGES

On the day after admission each prisoner is entitled to a letter known as "reception letter" but has no privileges of any kind for the first four weeks. In a female prison hard-labour and simple punishment are the same. At the end of four weeks a prisoner is entitled to a letter and visit, provided her conduct and industry are satisfactory, and she then becomes eligible to attend voluntary classes, weekly educational lectures, concerts, sacred and secular.

If a prisoner is of good behaviour, and no suspicion is aroused as to the conduct of a visitor, the visitor may, at the direction of the Governor, see the prisoner in an open room with a table separating them. An officer is always present. The prisoner and visitor are allowed to shake hands and embrace. If the Governor has any suspicion as to the visitor, the visit takes place in a visiting-box, where the prisoner and visitor are separated by wire-netting. A prisoner is entitled to a visit every four weeks.

When a woman has completed twelve months, she is entitled to an hour's recreation in the common room, may talk freely with other prisoners, and suitable illustrated papers, games of draughts, dominoes, snakes and ladders, are provided. Red-band men, i.e. men of exemplary behaviour and conduct, in male prisons may go anywhere in prison without the escort of an officer; this in a modified way applies to this prison, especially in the nursery. On Christmas Day a dinner is provided of roast beef and plum pudding, which is followed by an entertainment, e.g. magic lantern and carol singing.

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The library consists of light and popular literature, and the choice of books is chiefly confined to fiction. Each person is entitled to one book per week and after the first month two books weekly, one of which is educational. The educational abilities of the prisoners here are much inferior to those at Wormwood Scrubs, and the class of book read, reflects that inferiority.

Attendance at chapel is quite voluntary. There is a short daily service at 8.45 a.m., lasting some twenty minutes, and two ordinary services on Sunday. Holy communion is administered to certain prisoners with the consent of the Chaplain. Prisoners who are Roman Catholics have service twice a week and the usual services on Sunday. Nonconformists and persons professing other faiths may have visits from their appropriate ministers.

Most of the women attend the services, during which time their conduct and behaviour are exemplary. It is thought that attendance at voluntary religious services has a definite beneficial effect on the prisoners. Officers are present at all services.

THE HOSTEL

One distinguishing characteristic of this prison is the provision of a hostel which is maintained and managed by the Discharged Prisoners' Aid Society. It consists of a private house outside the precincts of the prison, and it has the appearance and atmosphere of an ordinary boarding-house. Here, ex-prisoners of good conduct and behaviour may reside free of all charge for board and lodging if they so desire whilst the society secures work or a home for them. Need is the first test for admission, but as a rule the

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accommodation is limited to first offenders and young prisoners.

Every prisoner, without exception, who is really in need of assistance is given work, financial or other assistance, or a home on completing her sentence. Alternatively to the hostel is the provision of board and lodging at some charitable institution in connection with the Church Army, the Salvation Army or Mrs. Cecil Chesterton's Homes.

In proper cases money is given for travelling expenses when a woman is seeking work at a distance. Ordinary prisoners are assisted in their endeavours to find work, their employers, of course, always being informed of their convictions. Recidivists must, however, as a rule, find their own work, and although financial and other assistance is given to them whilst seeking work, the Discharged Prisoners' Aid Society cannot obviously obtain employment for them and therefore does not inform their employers of their convictions.

The problem of the average woman after imprisonment is generally not so much obtaining work for her but her normal return to her former home and its maintenance. She may be a married woman, her husband may also be in prison, and the Society endeavours to set up her home again by paying arrears of rent. Whilst in prison her children are cared for by some relative or friend of hers, who is paid by the Society. This work is carried on and supervised by permanent officials employed by the Society.

DISCHARGED PRISONERS' AID SOCIETY

There is a very active and useful branch of this Society, Colonel J. A. C. Younger, J.P., making a most

valuable Chairman and worker ; Lady Travers Humphreys, J.P., is Chairman of the Hostel. Independently of the Government grant of 2s. per person, voluntary subscriptions amount to some £2,000 a year. On discharge every woman is given adequate assistance if she requires it—the only test is real need of help. Some forms of assistance include the payment of back rent, the renewal of civilian clothes, redeeming articles in pawn except jewellery other than a wedding ring, money for board and lodging either in a suitable lodging or board and lodging at the Society's hostel. A sub-committee meets weekly and interviews discharges for the following week. This sub-committee, consisting of the Governor, Chaplain, Medical Officer, social workers and unofficial visitors who have knowledge of the prison and the prisoners, has before them the reports of the unofficial prison visitors.

A very important part of the work of the Society is the maintenance of the home and life of the family of the prisoner during incarceration. The Society has agents who make inquiries as to home conditions, provision for children, and the upkeep of the home generally. This work is of great practical value as it enables the prisoner to resume normal civilian and home life on discharge. The home is kept together, and if the furniture is on the hire-purchase system, the payments are held up until discharge of the prisoner or some arrangement made with the firm, so that the prisoner does not lose her furniture. Hire-purchase firms in these circumstances are usually very helpful in assisting the Society in its efforts to maintain the family home. Often all the worldly goods of the prisoner are kept in *attaché* cases which have been

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deposited at some left-luggage office. This is recovered and placed in a store to await the discharge of the prisoner. A very human side of the ultimate welfare of the prisoner is the care and attention paid to the pets they leave outside prison. Women, without friends or relatives, often bestow their affection on a dog, cat or canary, and these are taken care of during their imprisonment and restored to them when they are at liberty. Personal appearance is an important asset to a woman looking for employment ; artificial teeth are often provided in suitable cases, especially where their absence is harmful to health.

HOSPITAL

The hospital is used both by convicted prisoners and persons on remand. The appointments and furniture are similar to those in general hospitals and there are single rooms as well as wards. The single rooms contain ordinary hospital bedsteads, washstand, electric bell beside bed, electric light which can be dimmed, and the floor is covered with linoleum. There are, of course, mirrors and other bedroom furniture and fittings. Every provision and arrangement is made for pregnant women and their subsequent confinements, on which they are attended by a doctor and a certified midwife.

A crèche is provided for children born in prison or where mother and child cannot be separated. These are usually kept here until the release of their mothers. Mother and child are kept together until two months after birth ; after this period the mother carries on her usual work but is allowed the child at meal-times, at exercise and at night. Children thrive extraordin-

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arily well in prison, but many do not survive after leaving prison. Working women are often unable to give their prison-born children that care and attention which they received in prison.

Minor operations are conducted in hospital, but major operations are performed at an outside general hospital, when the women are temporarily released for that purpose.

Apparently the physical and mental condition of prisoners is below the normal, due mainly to alcoholism and bad housing conditions.

The hospital diet, as far as breakfast and tea, is the same as ordinary prisoners, except that in some cases milk is substituted for tea, in addition to which extras and medical comforts may be given to patients when considered necessary by the Medical Officer. The normal dinner consists of bread, potatoes, fresh vegetables or haricot beans with one of the following : roast mutton or beef, boiled beef or mutton, Irish stew, cottage pie, hot pot, or shepherd's pie. These meat dishes are issued in a certain rotation, so that there is a change every day.

AIM AND OBJECT OF MODERN PRISONS

The aim and object of the modern prison is not so much punishment but reformation and education. Prison is always a punishment, in that it is a restraint on liberty, with no freedom of action. There is the loss of reputation by conviction and sentence of imprisonment, the provision of dull and uninteresting but nourishing food, the deadly monotony of the daily life, and the absence of the many amenities which modern life provides. Further, there is the associa-

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tion with uncongenial people and the fact that they are necessarily herded together for prison control and discipline.

Reformation is the keynote of the modern prison, so that a woman may face the world with hope and some opportunity to become a law-abiding citizen. Repressive, rigid discipline is avoided, though good order is maintained. A woman has sooner or later to mix with the outside world, and if during prison she lives in an atmosphere of unnecessary prohibitions, stern discipline and vexatious regulations, she becomes unfit to take her part in society.

To keep in touch with the outside world, the chaplain reads every week a summary of the news of the world. After twelve months' good conduct a prisoner is entitled to one hour's recreation on Sundays, which includes the use of illustrated papers and dominoes. There is also a weekly lecture to all prisoners on some educational or other useful subject, which is usually illustrated by a lantern.

CHAPTER X

BRIXTON PRISON

THE population of this prison consists of unconvicted adult male prisoners and debtors ; the Governor of which is Captain F. H. Leyland Stevenson.

The prison staff consists of a senior Medical Officer (Dr. H. A. Grierson), medical officers, chaplains, three chief officers, eleven principal officers, seventy-seven uniformed staff, eleven hospital staff, ten clerks and with others amounting to 135 in all.

Brixton Prison was built early in the nineteenth century (see ante, p. 94) on the site of the old Surrey House of Correction. In 1853 it became a female convict prison ; in 1882 it was handed over to the Army for military prisoners. In 1902 it became the trial and remand prison for the whole of the London area, and in 1906 all debtors of London and neighbouring centres began to be kept here. The prison is dull and gloomy, and has all the characteristics of a prison of the nineteenth century. Reconstruction is being carried out which will probably include all modern improvements in prison buildings.

The prison now provides accommodation for debtors, prisoners awaiting trial or prisoners on remand, Division I prisoners (political offenders), and persons detained for deportation purposes sent from London and neighbouring counties. Brixton looms largely in popular view as the debtors' prison, and is not inaptly called a debt-collecting agency, though

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prisoners awaiting trial or on remand constitute a fair proportion of its inmates. It is the most unique of all prisons since it is not in some respects a prison at all. It is a place of detention of unconvicted persons and of those who have committed no criminal offence. Men who are unable to get bail are kept here to assure that they will appear in Court, when called upon. It has the largest floating population of any prison in the country and it is ever changing its inhabitants. It has accommodation for about 740 persons, but its prison population is about 474.

In addition to unconvicted and debtor prisoners, there are approximately some fifty convicted star prisoners, i.e. men who have never been in prison before, and who perform most of the domestic work of the prison.

In regard to its ever-changing population, this prison is somewhat unlike the ordinary prison ; here many prisoners will be found eating food sent in from outside either by relatives or by a contractor, and smoking their own cigarettes. They may have a daily visitor, read their own newspapers, and need do no work—none of which would be tolerated at other prisons. The only prisoners treated like prisoners are the debtors, who eat prison fare, and are subject to ordinary prison discipline in that they are allowed no newspapers, nor are they permitted to smoke and must work. They are allowed one visitor a week. Prison labour here is chiefly confined to the making of mail-bags and the usual domestic work of a prison. Prisoners, other than debtors, may work, if they choose, but it is purely voluntary ; some of them are glad to work in order to pass the time away less monotonously.

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There are four large halls, A, B, C and D, a reception ward, E, and a hospital. These halls are reserved for prisoners mainly trial or on remand ; another hall, F, is kept separate for debtors. The regulations in regard to reception, food, and prison conditions are in general the same as at Wormwood Scrubs (q.v.), except that being trial and remands they are allowed their own clothes, many eat their own food, read their own newspapers and may have a visitor every day.

REMAND AND TRIAL PRISONERS

As previously stated, there is no compulsory work for remand and trial prisoners, who spend most of their time reading books and newspapers, and preparing their defence. They have daily visits and may provide their own food. They are allowed since January 1932 to smoke twice a day for one hour each time, providing their own tobacco ; there is, however, some limited provision of tobacco for destitute men. They may read their newspapers in association, but silence is strictly enforced. The star men (i.e. those never previously convicted) are permitted to read three times a day, the recidivists only twice. All prisoners have an hour's exercise morning and afternoon, during which time they are permitted to smoke. Where prisoners do not provide their own food they must be content with the ordinary prison fare.

Prisoners awaiting trial and on remand may have a properly furnished cell with bed and usual requisites on payment of 5s. a week, and may have the cell cleaned for them on a further weekly payment of 7s. Division I prisoners, e.g. political prisoners, are allowed to wear their own clothes, have their own

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newspapers and food, and may receive one letter and one visit every fortnight. They are kept away from other prisoners, and if they elect to work may have the usual one-sixth remission from their sentences ; otherwise no remission is allowed.

Prisoners awaiting trial and on remand, if they care to work, after six days can earn 3s. per week, which may be spent on newspapers, etc., or sent to relatives ; they may not purchase food or tobacco with this money.

The stages for convicted men and their general conditions and privileges are the same as in other prisons.

In 1932, 11,732 were received in prison ; of these 7,819 were prisoners awaiting trial or on remand ; 2,938 had never been in trouble before and some 3,718 were imprisoned for debt.

There are chapels for members of the Church of England and Roman Catholics, and a synagogue for Jews.

Punishment consists of deprivation of smoking by prisoners awaiting trial and on remand, and bread and water with close confinement for all prisoners. All classes of books are provided by the library.

All prisoners, except convicted men, wear their own clothes unless they are unsuitable, in which case they are supplied with blue prison clothing, bearing no marks. If they have no suitable underclothes they are provided with prison clothes, which are changed once a week.

Ten different dinners are provided as in ordinary prisons. Prisoners awaiting trial and on remand may have a complete meal sent in or buy from the contractor. Only fruit and chocolate are otherwise allowed to them as extras.

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DEBTORS

Debtors are bound to work eight hours a day. They are not allowed beds, as in the case of persons awaiting trial and on remand, but have the usual plank beds with mattress. They are treated, in general, as ordinary convicted prisoners. Debtors are generally men who can but will not pay their debts. Out of 2,000 debtors in 1932, £6,379 was collected in prison from debtors in payment of debts. In 1932 there were 3,680 debtors, made up as follows :

County Court Summons . . .	665
Arrears of rates and taxes . . .	1,522
Bastardy Summons . . .	379
Married Women's Property Act . . .	915
Contempt of Court . . .	199

Of these, 258 were twice in prison for debt ; 366 three times ; and 6 four times.

In regard to County Court debts and debts relating to income tax, the full amount must be paid before release from prison ; but in regard to other debts, e.g. rates, bastardy and maintenance orders, a part payment means that a proportionate number of days are taken off the days of imprisonment. If, say, a man is committed for fifteen days for a debt of £5 in regard to rates, he is released three days earlier if he pays £1 on account. So many shillings, so much less servitude. Completion of the term of imprisonment does not, however, release the debt owing, but when a man has completed his sentence without discharging the debt he is usually not recommitted for the same debt except in regard to County Court debts and income tax, when he may be recommitted for the same

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debt, but this in practice never happens. Of course, a man may be recommitted in regard to a fresh debt with reference to the same liability accruing during or subsequent to his imprisonment.

Most men are transported to the different courts by police tenders, with and without initials, and contractors' cars (ordinary motors). On the Medical Officer's recommendation and on paying his own expenses, a man may be sent in a taxi-cab. The cubicles in police vans are just large enough to enable a prisoner to stand up and sit down.

One feature of this prison is the large number of members of the general public seen. These constitute the visitors of the remand and trial prisoners who are entitled to daily visits. Each visitor is allowed a 15-minutes' interview. Visitors stand in a compartment which has a window and also a perforated metal barrier, which enables a visitor to see and to speak but he is not in personal contact with the prisoner, so that nothing can be passed over. All the visiting compartments are under the observation of an officer.

Every opportunity is afforded to all prisoners, especially those charged with capital offences, to see their legal advisers on the preparation of their defence. Prisoner and solicitor sit opposite one another at a table which is so constructed that nothing can be passed from one to another without being observed by the officer who keeps observation on both, but is not within hearing distance.

Prisoners are given every information and facility to put forward their wishes for free legal advice and assistance at the hearing of their cases; this is given by the Judge, if they have disclosed their defence at

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the hearing before the magistrate, if the charge is a serious one, or if the prisoner is a foreigner and imperfectly understands English. Legal aid is sometimes refused, as it is within the discretion of the Judge. In such circumstances a prisoner is entitled to brief counsel from the dock for an inclusive fee of £1 3s. 6d. A card giving particulars of the procedure for obtaining free legal aid is placed in every trial or remand cell. At Brixton the police officer in charge of the escort informs all prisoners as to their right to have a dock brief.

FOOD

Prison fare is nourishing, monotonous and uninteresting. Every prisoner gets an ample supply of bread daily for all meals. At breakfast a man is allowed porridge and margarine. For tea-supper he is provided with tea, bread and margarine. No personal idiosyncrasies as to whether a man dislikes milk and sugar are tolerated, all the men get the same tea with its proper allowance of milk and sugar. The dinner is a much more varied meal, consisting of meat, fresh or preserved. Persons who have been detained longer than twelve months occasionally have the luxury of pickles or fresh vegetables. The following is a typical daily dinner menu for a week :

Monday	.	.	Roast or boiled mutton
Tuesday	.	.	Irish stew
Wednesday	.	.	Soup
Thursday	.	.	Shepherd's pie
Friday	.	.	Meat pudding
Saturday	.	.	Sea pie
Sunday	.	.	Preserved meat

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SMOKING

It is a serious offence to smoke in an ordinary prison, though it is not an uncommon offence. At Brixton within the last few years, the privilege of smoking is allowed prisoners awaiting trial and on remand, but only when on exercise. In the exercise yard is a cupboard in which are kept various boxes containing a man's number in which is kept his tobacco or cigarettes. The regulations governing smoking are elaborate to prevent abuse, since there must be no traffic with other prisoners, and debtors must not smoke at all. Every man is allowed one cigarette or one pipeful of tobacco at a time, and if he wants to have another smoke he can get a further supply, limited as before, by obtaining permission from the officer in charge.

Each man is allowed to receive or may purchase 100 cigarettes per week or 2 oz. of cut tobacco. Plug tobacco is not allowed, apparently to stop chewing. Tobacco and cigarettes are carefully examined and checked on receipt in prison in order that messages and objectionable matter may be eliminated. On discharge as an unconvicted prisoner, a man is allowed to take away any tobacco provided for him, but on conviction the tobacco is retained and given to him on his final discharge.

No matches are allowed, gas-jets being provided for lighting. There is no litter of fag ends about the prison, buckets being provided for their collection. Men detained on capital charges (i.e. murder charges) may only purchase tobacco from the food officer, and on no account can they receive tobacco from their friends, for obvious reasons.

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THE DAILY ROUND AT BRIXTON

The daily round at Brixton is somewhat similar to that of other prisons with some slight differences. It may shortly be stated as follows :

- 6 a.m. Rise, when the prisoner cleans his cell and himself.
- 7 „ Labour commences. Debtors sew the everlasting mail-bags. Others do nothing. Persons awaiting trial and remands may work if they like, and are allowed 3s. per week for their labour after the first seven days.
- 7.45 „ Breakfast, consisting of porridge (skilly in prison parlance), bread and margarine, eaten in cells.
- 8.50 „ Labour recommences.
- 9 „ Thursdays, Anglican service of $\frac{1}{2}$ hour.
Fridays, Roman Catholic service of $\frac{1}{2}$ hour.
- 11.50 „ Labour ceases.
- 12 noon. Dinner eaten in cells.
- 1.35 p.m. Afternoon labour commences.
- 4.20 „ Afternoon labour ceases. Tea-supper follows.
- 4.50 „ Star (not previously convicted) prisoners read newspapers in association. Debtors work in cells till 7 p.m.
- 9 „ Lights out.

Exercise consists of walking around the ring in the yard for two hours a day ; when it is wet, exercise is permitted in the halls.

The daily round of those awaiting trial and on remand is excessively monotonous and dull. They occupy their time when in their cells reading news-

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papers and books or in association in the halls. No talking is allowed when in association. Star prisoners read in association in the morning, afternoon and evening, for an hour at a time ; recidivists have this privilege only in the morning and afternoon.

SOME GENERAL OBSERVATIONS

Owing to the great variety of prisoners, from a duke to a dustman, and to the fact that it has an ever-changing population, this prison must be difficult to govern and to administer. Thousands of men are incarcerated within its walls for long or short periods of time and the labour involved in keeping their records and their personal belongings is immense and detailed. If a debtor has a solitary halfpenny in his possession on arrival it is carefully noted in the records, and an intricate system of book-keeping is planned by which his halfpenny is properly guarded and ready for return to him on discharge.

It is of interest to note that 37 per cent. of those awaiting trial and remands in 1932 were making their first acquaintance of prison life.

Brixton, like other London prisons, is a very human and humane institution, with the necessary limitations which must prevail in all prisons. Discipline is firm but not obtrusive, rules and regulations must be observed and order must be supreme.

Attendance at Divine worship on weekdays and Sundays is entirely voluntary but practically all attend. Four or five entertainments or concerts are provided every year, and lectures are given except to the convicted prisoners. The news of the week is read to convicted men once a week on Mondays, since they

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are not allowed to read newspapers. Every prisoner, except convicted prisoners, is allowed to send out each week two letters free of postage, further letters must be paid for.

Like other prisons, Brixton has its honour parties, i.e. debtors, who work together without the attendance of officers or supervision. They are well-behaved men who work at trades and are called "red band" debtors by reason of the red band on their sleeves. One sees here the effect of the varying views of magistrates and county court judges; one man who owes £10 is imprisoned for a month, whereas another owing £100 may be imprisoned for the same time. There are necessarily inequalities in an imperfect world, but in prison, inequalities of treatment, food, conditions and labour are practically non-existent.

The debtors' wing of Brixton is somewhat of a human pawnshop where pledges are redeemed every day; days of detention may be deducted by payment on account on the instalment system, and no debtor need remain there longer than he likes. The genuine debtor who cannot pay but would pay if he could is not usually found at Brixton; he is invariably given every opportunity of time and convenience to pay his just debts, before he is sent to prison as a non-paying guest.

Prison is a very democratic institution; every man in the same category lives the same life, which makes for monotony, dullness and stagnation. The only real change is the visit of friends and relatives, who retail the domestic gossip, or the visit of solicitors who prepare with their assistance the defences which they

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hope will be successful. Care is taken that those awaiting trial and remands do not associate together except in the presence of a solicitor, otherwise those charged with the same crime might very well interfere with the proper administration of justice, by concocting " watertight " alibies, or inventing evidence which each would corroborate in the witness-box.

CHAPTER XI

PENTONVILLE PRISON

THE population of this prison consists of adult male prisoners. There are about 800 prisoners at any one time, averaging some 2,500 a year in all, consisting of recidivists (men who have been repeatedly convicted) above the age of 26 years.

The Governor is Commander R. M. Tabuteau, O.B.E., R.N., and the Deputy-Governor, Major Harvey.

The staff, including Medical Officers, Chaplains and other officers, number 133 in all.

In Pentonville there are four halls, A, B, C, and D, with five landings ; C and D have basements which are not used as cells. It is a real prison accommodating men who have been convicted many times north of the Thames. In many cases there are forty to one hundred convictions recorded against a prisoner. Prisoners are kept normally for a period not exceeding two years ; men convicted of murder are detained here and executed, unless reprieved. Executions do not exceed one a year.

Men of suicidal tendencies are placed, when necessary, in padded cells consisting of rubber walls and floors with mattresses, for observation and report for some twenty-four hours. Here they are practically unable to hurt themselves. If, however, they are violent, recourse is had to the use of a loose canvas jacket commonly called the "strait-jacket." This

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is done only when the medical officer recommends such restraint in order to prevent self-injury to the man concerned.

Men who have entered appeals against conviction and/or sentences are generally kept to the work of making mail-bags. Unless the Court of Criminal Appeal otherwise directs, the time spent in prison waiting the determination of an appeal is not calculated in the ultimate sentence which they may get. Men under sentence of death are kept away from other prisoners, no other prisoner is in a cell near by, and during an execution all the men are kept in the workshops far away from the last dread scene which is taking place. The common offences for which men are imprisoned are burglary, housebreaking, larceny, false pretences, vagrancy, indecency and drunk and disorderly.

Every London prison appears to reflect the character and personality of the Governor. At this prison it is obvious that the Governor has been in the Navy. There is therefore firm but intelligent discipline, and the prison itself is extraordinarily clean and airy. The cult of fresh air is encouraged and its general spick-and-span appearance is a marked characteristic feature.

In general, the regulations at this prison correspond with those of other prisons, e.g. the reception is the same as at Wormwood Scrubs. Every man is stripped and bathed as a preliminary to donning prison attire, and it is not unworthy of notice that every prisoner strips behind a screen. Men are kept in the reception hall until the following day, when they are each seen by a reception board consisting of the Governor

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or Deputy-Governor, Chaplain, Discharged Prisoners' Aid representative, and Church Army evangelist. This board endeavours to get an impression of the character, personality and mentality of the prisoner for his subsequent treatment in prison. This impression necessarily may be modified by experience, and on discharge the final view of the board is helpful in ascertaining and determining the best way to help the man. The Deputy-Governor then allocates appropriate labour according to medical category, trade and qualifications. It is a melancholy fact to record that many of them return to their prison trade, in which they have become efficient, after a more or less short period of liberty.

Every man on reception gets a letter but not a visit. Men sentenced to hard-labour have no mattress for the first fourteen days, eight weeks afterwards they are allowed one visit and one letter, which may be repeated after the next six weeks, and thereafter one visit and one letter every four weeks. Men in the Second Division get a letter and visit every month ; Third Division prisoners have the same letters as hard-labour prisoners but they are allowed a mattress on reception. Men over 60 in all cases, or where the Medical Officer prescribes in the case of other men, get a mattress.

PRISON INDUSTRIES

This prison is a hive of industry. Men prefer to work, and work which requires hard labour is preferred and coveted. As a whole, the men at their work look just like ordinary persons at work outside prison. Most are industrious and full of zeal, others are lethargic, but all are under the eye of a vigilant

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officer who allows no slacking or unnecessary talking save that which the nature of the work requires. It is characteristic of the real criminal that he is more active and more industrious than his brother. The idle and ragged are in another category, which includes the vagabond, the drunkard and the weak-minded.

It is desired to make their labour as like that in civil life as possible. But as long as man is a prisoner there will be desire for liberty, necessitating a guard against misconduct and abuse of the liberty which is given.

The prison industries include bread-making for this prison and for Holloway Prison, which bread is not eaten within twenty-four hours of baking. Laundry work for this prison and Scotland Yard is done here and care is taken in the ironing of the collars of the men. The tailoring industry is a prominent feature of prison labour, and consists in making prison clothes for this and Borstal Institutions, overalls for the Admiralty and Post Office, and mess-jackets for naval cadets. Repairs are also undertaken. Stocking-making and repair is an important part of the work of this prison. In the wood-shop firewood and logs are chopped for various Government offices. But the staple industry of this and most other prisons is the uninteresting task of mail-bag making and repairing.

In the Admiralty workshop are made engine-room mats, fenders, clews, lashings, and, of interest to those who advocate corporal punishment, here are made the birches and cat-o'-nine-tails for this and other prisons. This prison apparently has very little, if any, use for these instruments of punishment. Men

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in the basket shop make baskets for the Admiralty, Post Office, Royal Air Force and His Majesty's Office of Works. The printing and book-binding shop is devoted to prison requirements generally and the manufacture of London County Council exercise books. Shoe-making and repairs, carpentry, engine shop, and kitchen, are also branches of industry for the work and maintenance of the prison.

The conditions, regulations, diet, punishments and library arrangements at this prison are the same as at Wormwood Scrubs, except that meals are not eaten at a common table but always in the cells. Talking is not allowed except where the work in which the prisoner is engaged requires it. There is usually a lecture and concert once a month.

The daily round at this prison is very much like that of other prisons. The prisoners rise at 6.15 in the summer and at 6.45 in the winter. An hour's exercise precedes breakfast at 7.25 in summer and 7.50 in winter ; this is followed by associated labour at 8.55 in summer and 9.40 in winter, which continues until noon, when dinner is served. Associated labour is resumed at 1.40 until 4.30 in summer and 4.55 in winter, when tea, the last meal of the day, is served. There are also two short periods of cellular labour in the morning and afternoon and a period of about two hours in the evening. Lights are out at 9 p.m. and the prison is locked up for the night at 10 p.m.

On Sundays there is no labour, cellular or associated, Divine Service being held in the morning and afternoon.

The food for breakfast and tea (officially called

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supper), which is served at 4.30 in summer and 4.55 in winter, is practically the same every day in every prison.

The vegetarian diet for breakfast consists of bread, margarine, porridge and tea ; supper, bread, margarine and cocoa.

The vegetarian dinner, which varies from day to day, consists of bread and potatoes. In addition are provided either rice pudding, beans or peas, flour pudding, or vegetable soup, and also at times a small portion of margarine or cheese. Fresh vegetables, when available, are issued in lieu of part ration of potatoes.

After serving twelve months a double portion of porridge is provided for breakfast, and for dinner a double portion of either beans, peas or flour pudding ; in addition cheese is provided for supper.

The diet for those who are not vegetarians is as follows : breakfast, bread, margarine, porridge and tea ; dinner, one of the following : beans and bacon, roast or boiled beef, beef and treacle pudding, haricot mutton, savoury bacon pie, meat pie, boiled or roast mutton, shepherd's pie, preserved meat, stewed steak and treacle pudding, hot pot, Irish stew, boiled beef and dumplings, with bread ; supper, bread, margarine and cocoa. After serving twelve months an additional quantity of bread is supplied for breakfast and dinner. With boiled beef or meat pudding 4 oz. of fresh vegetables are supplied, and with preserved meat fresh vegetables and pickles. For supper, cheese is provided.

Prisoners are allowed to make complaints as to the weight and quality of the food provided, but if

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frivolous and groundless complaints are made they will find themselves before the Governor charged with a breach of prison discipline. Further, they are instructed that they should retain some of the food provided for tea to eat later on before going to bed.

SOME GENERAL OBSERVATIONS

The difficult problem of this and other prisons is how to keep the men usefully and continuously employed. Trade Union regulations limit the number of industries in which prisoners may be engaged in and industry is confined within the narrow limits of the requirements of the prisons themselves and those of Government departments.

Recidivists make good prisoners ; punishments are rare. A recidivist is usually a criminal who regards imprisonment as a risk incidental to the carrying on of an unlawful adventure. He therefore regards prison somewhat philosophically, something that must be endured, and he endeavours by conduct and industry to gain as many remission marks as possible. He is fully conversant with prison regulations and the privileges to which he is entitled, and if his bread is not of the right weight he soon finds it out and demands his proper allowance, which of course he gets. Prison offences are usually those of insolence to warders, bad language, refusal to work, wrangling with another prisoner, stealing bread and other petty offences. All these offences are carefully investigated by the Governor himself, the charge is made, the officer supports the charge, and the prisoner has the right of reply, after which the Governor awards the

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appropriate punishment or gives a severe caution. There is rarely any personal violence to an officer, the reserve power of awarding the "cat" being a sufficient deterrent. Birching, which is regarded as a humiliating punishment more suitable for a boy, is very occasionally awarded for striking an officer. Neither birching nor the "cat" can be given without the authority of the Visiting Committee, confirmed by the Home Secretary.

The maximum punishments within the power of the Governor are limited to three days' No. 1 close confinement with bread and water; fourteen days' No. 2 diet with no meat but more bread and porridge. In addition, a prisoner may lose 84 Stage marks, i.e. 14 days, goes back to First Stage (see ante, p. 121) and lose 70 remission marks, i.e. 14 days. This means that if a prisoner, by conduct and industry, has obtained a reduction of 14 days in his sentence, he loses that reduction. The Visiting Committee have the power to award as a maximum punishment 14 days' close confinement, 15 days' No. 1 diet, 42 days' No. 2 diet, loss of 168 Stage and/or 140 remission marks. In addition to this the ordinary prison privileges as to lectures and concerts are forfeited.

Violent prisoners who tear their clothes and smash the contents of their cells are put in a punishment cell consisting of a bare cell with a seat. They are visited periodically, and when their tempers have evaporated and they promise to behave themselves they resume the ordinary prison regime according to their stage or punishment. Except where a prisoner is likely to injure himself he is never strapped

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or confined in a body-belt or strait-jacket or handcuffs.

There are usually no honour parties in recidivist prisons like Pentonville and Wandsworth, but individual men who work just outside prison precincts are placed on their honour and rarely break their word.

Men under forty and men under thirty years of age have physical and gymnastic training respectively every morning for one hour under the supervision of a qualified instructor ; others have the usual walking exercise. Education classes are carried on by a band of voluntary and unpaid workers who teach French, shorthand, history, literature, economics, drawing, local government and other subjects. In addition concerts are given once a month on Sunday afternoons and lectures on Thursday evenings by representative men including Arnold Lunn, Hannen Swaffer, the Rev. Herbert Dunnico, Sir Charles Petrie and Captain Daintree, R.N.

Men are kept in touch with the world's events by the weekly reading of the news of the week every Wednesday. The food for breakfast and tea-supper appears to be dull, uninteresting and nourishing, and is the same in all prisons ; but dinner is more varied and interesting. Some men are always hungry in prison, but the Medical Officer in proper cases may order more food to be given to a prisoner if he really needs it.

This prison has the advantage of having the devoted service of many social workers comprising some twenty-two teachers and thirty-six unofficial visitors, and an effective branch of the Discharged Prisoners' Aid

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Society. Something like £2,500 a year is spent on these men to give them a chance to succeed and make good in the great competitive world outside.

RELIGIOUS SERVICES

Prison regulations provide that every man must attend the service of his particular faith every Sunday morning unless the Governor is satisfied that he has an adequate reason for not wishing to be present. Every person, therefore, who wishes to abstain from attending must apply for and receive permission to do so from the Governor. The Governor must be satisfied that the reason for abstaining from attendance is adequate, regard being had to the sincerity of the prisoner's motives. Attendance at the afternoon service is optional. When there is no afternoon service there is usually a concert of good music or lecture, or in fine weather a longer period of exercise; attendance at this concert or lecture is voluntary.

The right to attend Divine Service may be withdrawn for a period not exceeding a month from any prisoner who has been reported for misconduct, or whose presence may lead to disturbance of the service. A week-day service is also provided, attendance at which is entirely voluntary.

It is suggested that compulsory attendance, which was the invariable rule in the nineteenth century, at a religious service is not in the interests of religion or the prisoners. Religion is a purely personal matter, and its observance should not depend upon the will of the Governor but on the will of the prisoner.

A Sunday service at this prison is bright, cheerful

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and devotional. Some 600 prisoners attend and their behaviour and conduct compares very favourably with those of people who attend services outside prison. Naturally, as this is a real prison where many of the men have been convicted over and over again (e.g. one man had 207 convictions recorded against him), there is more supervision than at Wormwood Scrubs ; but even so the few warders that are present are not obtrusive. Pentonville chapel is rather institutional in its design and atmosphere, but the Governor is endeavouring to beautify the interior. In July 1933 a beautiful reredos was unveiled, a fine piece of work, by Mr. Evan Walters, the Welsh artist, showing Christ giving His blessing to a group of people surrounding Him who are clad in distinctly modern dress.

There are other religious pictures in the chapel and it is noteworthy that such decoration is obtained from voluntary sources. As religion has undoubtedly a reforming and refining effect on many of the prisoners, a prison chapel should, as far as possible, be a thing of beauty if not a joy for ever.

Those who attend a prison chapel attend for very much the same reasons as other people outside, some for devotion, others merely to pass the time away, and others from a gregarious instinct. Some appear to enjoy the service, others are passively indifferent, but without exception all are respectful and reverent. The pew for men condemned to death is secluded and cannot be seen by the other prisoners, though the altar and clergy are in sight.

The singing is congregational, hearty and sonorous, and may well be envied by churches outside. It was

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noted that most of the men paid due and proper attention to marks of expression, there was a hushing of voices when the words were marked *piano* and a loud volume of sound when a *forte* passage was reached. The service is like any other service outside prison, and the sermon is preached by the Chaplain (the Rev. W. O. White) or a Church Army Evangelist. Care is taken that no reference is made to the fact that the hearers are law-breakers or that they are in fact in a prison chapel. The sermon, on a visit paid by the author, was listened to intently, and when the preacher referred to the fact that as a boy he was disappointed that the story of Robinson Crusoe was not a true story, the men audibly smiled. A chaplain in a recidivist prison must have a difficult work to do, he is a minister of God and also a servant of the State, and his duties require infinite tact, patience and sympathy.

CHAPTER XII

WANDSWORTH PRISON

WANDSWORTH is a prison chiefly for prisoners south of the Thames, consisting of adult men prisoners and for boys aged sixteen to twenty-one whose Borstal sentences have been revoked or whose conduct at Borstal Institutions has been unsatisfactory. This prison also takes prisoners from Kent, Surrey, Sussex and part of Hampshire, and all prisoners between twenty-one and twenty-five from the area of accommodation covered by Pentonville Prison. It is a real prison of the same type as Pentonville, and has a varied type of prisoner from the recidivist to the petty thief and drunkard. It was formerly the old Surrey Gaol and was then used as a local county prison.

The Governor is T. Paterson Owens and the Deputy-Governor is Captain F. G. H. Evered, with a staff of some 150 persons consisting of Medical Officers (the senior of whom is Dr. Allan Pearson, M.C.) and other officers and instructors.

As previously stated, each prison seems to reflect the character and personality of the Governor, and it is not surprising to know that this Governor has had a long and varied experience in governing and training boys in Borstal Institutions, for he appears to be the firm, but kindly schoolmaster, who regards his prisoners as boys of larger growth.

Wandsworth conforms to the general rule that all

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London prisons are models of cleanliness, order and good government.

The prison is divided into two distinct parts, a central hall with five radiating halls accommodating 1,000 men, consisting of recidivists, convicts, a special class numbering 250 for men between the ages of twenty-one and twenty-five in charge of the second Deputy-Governor, Captain F. C. Tarr.

Another central hall with three radiating halls is reserved for Borstal boys in charge of a house-master, Captain Mackman. The general conditions, food, life, are the same here as at Pentonville. Both these prisons are real prisons and have none of the amenities of Wormwood Scrubs or Wakefield. The chief exercise is walking round the yard for older men, the younger men have as well gymnastic exercise and drill for one hour every day.

INDUSTRIES

The chief prison industries comprise the following :

1. Carpentry workshop for prison maintenance and new buildings, e.g. window-frames, desks, tables and chairs, and also work for the Office of Works, e.g. racks for public offices.

2. Tinsmithing workshop for the making of domestic utensils, and for Government Departments (War Office, Office of Works, Admiralty, Air Force and Post Office), e.g. dixies for soup, water-cans, filing trays, oil bottles, pails, buckets and the like.

3. Laundry work for this and Brixton Prison.

4. Bakery and cooking for the prison.

5. Pouch workshop, in which also is made a large variety of canvas bags for the Post Office.

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6. Mail-bag workshop. Here also are executed repairs to thousands of mail-bags from all parts of the world.

7. Sack-shop, e.g. coal sacks, projectile bags, hammocks, wire and rope work, chiefly for the Admiralty.

8. Shoemakers' workshop. Here boots and shoes are made for the prisons and also leather bags for the Post Office.

9. Tailoring workshop for prison clothing, contract work for the Admiralty and Greenwich School.

10. Building section for the erection of new buildings in and outside the prison, the men working here consisting of bricklayers, slaters, concrete and other workers.

11. Maintenance work of the prison.

In addition, Borstal boys chop and bind firewood for the Office of Works ; other prisoners are stokers, painters and gardeners.

PRISON AMENITIES AND PRIVILEGES

There is a library which consists of a large collection of fictional and educational books ; detective stories appear to be much appreciated, as would be expected since some men are attracted to crime by a mere spirit of unlawful adventure. A concert of good music or lecture is given twice a month on a Saturday afternoon. The religious services are the same as at Pentonville.

Classes are held under the direction of an educational adviser, Val Bell, four evenings a week for one hour. The subjects include general knowledge, drawing, shorthand, bookkeeping, commercial science, and are taught by devoted teachers voluntarily.

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After two months' imprisonment, a man is entitled to a letter and a visit of fifteen minutes, and if his conduct and industry are satisfactory, thereafter, he may receive the following letters and visits : after six weeks a letter and a visit of twenty minutes, and subsequently a letter and visit every month.

The Governor has authority in case of need to allow emergency letters, and a man may be allowed out of prison on parole with the escort of an officer in the case of a dying parent, wife or child, with the approval of the Home Secretary.

THE BORSTAL SECTION

A boy on being sent to Borstal for three years may have his licence revoked if he proves refractory or lazy, and is thereupon sent to Wandsworth, where he is treated under ordinary prison conditions as regards food and treatment for a period up to twelve months. He has rough uncongenial work, e.g. wood-chopping, stone-breaking, and gardening. Here it may be recorded that some 60 per cent. of boys sent to a Borstal institution make good, and of the refractory ones sent to Wandsworth for ordinary imprisonment, nearly half keep outside the meshes of the law in future. There is plenty of drill, physical training with gymnasium.

SUNDAY MORNING AT WANDSWORTH

The Roman Catholic service is at 9 a.m. and is conducted with all the devotion, ritual and dignity of this ancient Church. The priest is assisted at the altar by two prisoners. The chapel is not unworthy of a prison and in beauty and design favourably com-

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pares with similar places outside of an institutional character. The bearing and conduct of the congregation is exemplary, devotional, quiet and respectful. Only one or two officers appeared to be in attendance. One characteristic feature of the service was the frequent rendering of religious hymns, which were sung in a hearty reverential way during practically the whole of the service of the Mass. Few, if any, were indifferent to the service itself, and the impression conveyed to the mind of the observer was that religion plays a sincere helpful part in prison life.

The Anglican service takes place at 10.30 a.m. and in the absence of the Chaplain, who was on vacation, the service was entirely conducted by a Church Army Evangelist.

This chapel is brighter and more cheerful than most prison chapels, largely due to an attractive colour scheme of blue and yellow which rids the building of its normal drabness and gloom. The service, with some exceptions, followed the usual Prayer Book service, but it was a little difficult to understand why some of the familiar and beautiful prayers, e.g. the prayers of St. Chrysostom, for all sorts and conditions of men, and the General Thanksgiving, were omitted and other prayers of a less comforting type substituted. The men wearing grey clothes undoubtedly looked healthy and well, and showed a smart appearance. Most of them took a keen and devout interest in the service and their reverent conduct at the service might well be emulated by churchgoing people outside prison. The singing was very hearty and congregational and occasionally

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the men led the organ. The sermon much appealed to the men and a reference to a drop of ink making a piece of paper worth £10,000 evoked audible smiles. Anglo-Catholics would be somewhat offended that the service was not conducted by a priest, and it would appear that arrangements might well be made whereby a priest could conduct at least one prison service on a Sunday, as is invariably done in churches outside prison.

SOME GENERAL CONCLUSIONS ON LONDON PRISONS

The police forces in London and the provinces have deservedly won the respect, confidence, and often the admiration of the general public for the tactful, efficient and intelligent way they discharge their difficult, onerous, and sometimes unpleasant duties. The same praise can well be accorded to prison officers. In all London prisons there appears to be a good tone and healthy atmosphere, created and fostered by the Governor, who is invariably supported by a loyal and devoted staff.

Their work must be very monotonous and even depressing, yet their cheerfulness and humanity towards the prisoners under their care are marked characteristics of prison government of the twentieth century. It is natural that men confined and cabined as they are to the limited precincts of a prison, whose lot is monotony, whose occupation is uninteresting and whose diet necessarily is more wholesome than appetising, should at times display fits of temper as do men outside prison, with much less provocation. Notwithstanding an occasional outburst, it is obvious that there is a good feeling between officers and

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prisoners. There is no doubt occasional insolence, but personal violence is rare.

All prisons are extremely clean and orderly, discipline is humane and intelligent, prisoners are treated as men and not as social outcasts by Governors and officers alike. It is natural that men should want to escape from prison, and it is clear that the prison authorities must and do take every precaution that escape is practically impossible. Eternal vigilance, firm but kindly discipline and treating the men fairly will limit the opportunities and desires to escape from prison.

Unofficial visitors and others who visit prisons at times do not always appreciate the essential and necessary rule that nothing should be done in connection with the welfare of a prisoner or his family and friends without the full knowledge and consent of the Governor. People who are interested in social work are sometimes inclined to be tactless and often lacking in worldly wisdom. One unofficial visitor, in his desire to vary the monotony of a prisoner, actually provided him with the materials in prison for the successful forgery of bank-notes. He no doubt acted from the best motives ; evidently he had the innocence of a dove but not the wisdom of a serpent. In a later chapter (Chapter XIII) some suggestions are made in regard to prisons and prisoners in the future. It will, therefore, be sufficient here to consider only a few aspects of prison life.

Taking the view that prison is an unpleasant place in which brave and intelligent efforts are made to fit a man physically and mentally to take his place in the ordinary world when he comes out, it is im-

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portant to stress the activities of the social work during and after imprisonment. The unofficial visitor plays a very acceptable part in prison life. He brings with him a breath of the outside world—the world every prisoner is longing for—free from officialism or authority. There is no more welcome person to the average prisoner than the unofficial visitor with his glimpses and gossip of the world in general. It is more pathetic than amusing to note the ingenious attempts made by many a prisoner to prolong the interview between him and his visitor and thus shorten the time of his loneliness. There is no more attentive or appreciative audience, whether it be a sermon, a lecture, or concert, especially if the preacher, lecturer or performer is a person unconnected with prison. They like to see fresh faces, it gives them something to think about, it varies the monotony, and shortens the long dreary hours.

The proper type of visitor, the one who is tolerant and not fussy, the one who is sympathetic and not patronising, the one who is helpful but not stupid, can do a great deal to alleviate the deadly monotony of prison life and bring consolation to the prisoner who is anxious about his family and his future work. It is worthy of note that Jews usually make excellent unofficial visitors, and it is not uncommon for a Jew who has retired from a lucrative business career to take up this difficult work. He is usually eminently practical and is most assiduous and successful in finding work for Jewish discharged prisoners.

The Discharged Prisoners' Aid Society performs a useful function in the after-care of prisoners. Unfortunately their funds are limited and more money

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is needed for this great and important social work. The work of this Society is very difficult, careful and delicate inquiries are essential which are expensive to make, thus depleting the funds for actual relief. An enormous amount of good social work is carried out by the men and women who faithfully devote themselves to this all-important part in the regeneration and reformation of prisoners.

It is unfortunate that the limited sources of income frequently render it impossible to grant larger sums than 2s. 6d. and 5s., which seem somewhat futile and appear to be of little practical service.

Reference is made elsewhere to the desirability of beautifying the chapels in which the prisoners have religious services ; and also to the apparent unseemliness and impropriety for a place of worship to be used for more than one particular faith or used as a lecture theatre—unavoidable though this may be. It is suggested that although admirable work may very well be done in the ordinary social work of a prison and even assistance in Divine Service by laymen, the sermon should invariably be preached by an ordained priest or minister, and that there should be a variety of preachers (see post, p. 202).

To conclude, the general type of men and women seen in prison is the same found at any gathering of men and women outside. There is no criminal face and the great majority of the men after some months in prison have the smart and healthy appearance of young trained soldiers or policemen. From a purely physical point of view, there is little doubt that prison training conditions and discipline have great value in keeping men and women fit and strong.

PART IV

CHAPTER XIII

PRISONS OF TOMORROW

I. SOME GENERAL REFLECTIONS AND SUGGESTIONS

THERE appears to be little enlightened and intelligent public opinion on prisons and prisoners ; the attitude of the law-abiding to the criminal seems to be that of callous indifference or active hostility. The great majority of all classes of society appear to regard the criminal as a social nuisance who should be sent to prison solely as a punishment to himself and as a deterrent and a lesson to others who may be like criminally minded. Most honest men and women are impatient, nay even indignant, when they hear of prison amenities, their idea of prison being a place which should be made so unpleasant and severe that the potential criminal will be prevented by fear of the direful consequences from actually committing a crime. But economic and social forces—often a reflection on the neglect and indifference of the community itself—may well be stronger than the fear of prison, and apparently the criminal will always be with us. Medico-legal science is beginning to experiment on the basis that crime in some cases is a mental disease with all its implications ; at the same time it must be admitted that many crimes are the result of depravity, innate wickedness, or wanton lawlessness. A former distinguished prison commissioner once remarked that half of those in prison ought not to be in prison at all and that the other

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half should never come out of it. There is a large measure of truth in this general statement.

It appears that there are roughly six classes of persons who are now sent to prison.

I. The mental prisoner, i.e. one who is mentally affected but is not properly certifiable as a lunatic. This person may probably be sent in the future to some suitable institution other than a prison, where medical treatment may have a chance of saving him from a criminal career.

II. The first offender who will continue to be sent to prisons like Wakefield and Wormwood Scrubs. At these two prisons the enlightened tendency is to allow prisoners more privileges, and to endeavour to teach them to preserve their self-respect, so that when they go into the normal world they may have a reasonable opportunity of living and working like other citizens. These prisons may be regarded in a way as hospitals for social misfits for cure and reformation rather than as places of punishment.

III. The casual criminal, which class comprises those who commit crime now and again when force of circumstances, e.g. unemployment, are against them but are not strictly recidivists. When the difficult problem of finding work for discharged prisoners is solved, casual criminals will probably greatly diminish in numbers.

IV. The professional criminal, a small but dangerous section of the community, who appears to regard crime as his occupation, and prison as a risk on which he gambles. Long terms of real penal servitude appear to be the only method of dealing with this type of prisoner ; he is hopeless for reformation

or cure. In South Africa an habitual criminal is given an indeterminate sentence of preventive detention which is never less than seven years. His case is reviewed every seven years and if his conduct and industry are not satisfactory he is given another seven years, which imprisonment continues until his death in prison. If, after seven years, he is released and relapses into crime again, he is taken back to prison for a further period of seven years, subject to review as previously stated.

V. The recidivist, who is not necessarily a professional criminal, but one whose life and work (mostly spent in prison) have been such that it is almost impossible for him to maintain himself without committing crime. Many of these are mental cases, e.g. the man who has been stealing boots all his life and nothing else. In future he may very well be placed in institutions other than prisons, or in a preventive detention institution, where ordinary prison conditions are not so severe, without first undergoing a sentence of penal servitude as is the law at present.

VI. The Borstal cases of boys and girls. Borstal institutions have done wonderful and successful work with difficult material to work upon. Here there is a great scope for development and progress in the future.

As has already been said, the general public is profoundly indifferent, nay hostile, to progressive developments and reforms in regard to prisons. No Government can or will legislate or institute reforms in advance of public opinion, and therefore the Treasury may well hesitate to give the necessary funds for prison improvements or amenities. The cost of keeping a

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prisoner has been variously estimated at from £44 to £240 a year, chiefly dependent upon what factors of cost are taken into consideration. Apparently the bare cost of maintenance *per capita* in local prisons is about £40, and in convict prisons £56. In a genial speech by the Lord Chancellor, Viscount Sankey, G.B.E., at Wandsworth Discharged Prisoners' Aid Society, on March 20, 1933, he said, "I saw it stated by a distinguished Judge¹ that every man sent for preventive detention costs the State £240 a year, including overhead charges, maintenance and so forth." It appears, however, that the bare cost of maintenance may be said to be approximately 30s. a week. The total cost of English prisons is over £2,000,000 a year. It follows that just as a sick person in a hospital ordinarily costs more than a sound person outside, so does a prisoner cost more than a law-abiding person outside. On the whole, it seems possible that in the future many prisoners, except the professional criminal, will be treated as if they were rather patients suffering from a mental disease than as real criminals.

Those who are strenuous in advocating prison reforms should first qualify themselves by becoming unofficial visitors to the various prisons, where they may well be enlightened if not disturbed by the difficult and vexed problems of crime and criminals. Constructive prison reform can only be useful if based on a full knowledge and appreciation of present prison conditions; mere sentimental considerations may easily lead a humanitarian astray.

Judges, Recorders, Stipendiary Magistrates and others who administer criminal justice should adopt

¹ Holman Gregory, K.C., Common Serjeant of The City of London.

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the suggestion of a distinguished Judge of the High Court who observed that it was the duty of such Judges to visit a prison at least once a year. In these circumstances, the unofficial visitor may well influence public opinion with intelligence and restraint, and the Judges, it is respectfully suggested, will be considerably assisted in the more efficient discharge of their onerous duties.

In the nineteenth century the aim of the prison administration was completely to separate and isolate prisoners from one another, with long periods of solitary confinement, whereas at the present time the aim is to collect, select, classify and treat prisoners according to their crimes, character and general conduct. In many cases prisoners now eat, work and even play in association with other prisoners. The last stage of development of prison administration is the careful and scientific study and care of the prisoner as an individual, and not as a member of the criminal classes. The tendency is to preserve each man's self-respect in prison, so that when he comes out he may take his place in the world with ordinary people. This sane and intelligent policy is best carried out at Wormwood Scrubs and Wakefield prisons. The former is for first offenders only, and the latter for first offenders (local and court sentences) and recidivists between twenty-one and twenty-five who are all kept and worked together—a new phase of prison administration and experiment. After a period of some three months of ordinary imprisonment, the prisoners are allowed many amenities which are immediately withdrawn on lack of industry or misconduct. The men at Wakefield are in parties of nine

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called "a crew" under the leadership of a "stroke"; they are allowed to smoke after meals, read newspapers, play games (football, cricket, chess), and eat their meals in association. Their cell doors are unlocked during the day and the men are allowed 1s. 6d. a week out of their earnings to buy extra food, jam, groceries, and tobacco, an estimable and welcome privilege. The men run their own libraries and manage their own debating society, and also cultivate their own gardens with seeds purchased out of their earnings.

This, in brief outline, indicates the general policy of Wakefield Prison, which it is suggested should form the guiding principle of all prisons (except perhaps those devoted to professional criminals) with even greater extension of amenities, if reformation and not punishment is to be the chief purpose of the modern prison.

In future, it is hoped that the monotonous, dreary staple breakfast and tea, consisting of dry bread and margarine, may be varied by the provision of some such food as herrings, fruit and even jam, which can be provided at a small cost; cheese might be added more often than is allowed at present. The curse of the nineteenth century was the long hours of solitary confinement which has not yet altogether disappeared. Even now in ordinary prisons men are often kept in solitary confinement of a sort every day from about 4.30 p.m. to 8.15 next morning. True, there may be an occasional class of one hour, there is also some two hours' cell work to do, and books are provided to read, but the men should have more varied occupation during these long dreary hours.

One of the greatest problems of prison administration is to provide ample occupation of a useful and interesting nature for the prisoners. No work is more popular than real hard labour ; it engrosses a man's body and mind, it keeps him fit and makes the time pass away quickly. Some men become very expert craftsmen in prison, especially the recidivists, but the trouble is that the goods they make by hand in prison are invariably made by machinery outside ; thus preventing them from afterwards carrying on commercially an occupation in the ordinary world, of a trade which they have learnt in prison. There is a ban on prison-made goods by trade unions which is a great stumbling-block to efficient and reformatory prison administration. A sort of illogical compromise has been made with trade unions in that prisoners are allowed to make goods for the limited requirements of Government Departments. It is difficult to understand why the limited supply of prison-made goods should not be sold in the open market, whereas Russian goods made under conditions which would not be tolerated in an English workshop are freely dumped on this country in keen competition with British goods. Even in Russia, prison-made goods are disposed of in the same way as goods made by law-abiding citizens. An interesting example of this ban is that in one English prison, the Governor was not permitted to allow some of his older and feeble prisoners to pass their time away, by sticking pins on paper in preparation for sale in the open market. He subsequently found that similar work was done in Czechoslovakian prisons, which was afterwards sold in the ordinary market in England.

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To reiterate, there seems no reason why if foreign goods are allowed to be dumped in this country, the very limited supply of prison-made goods should not also be sold in the ordinary market. If this were done, prisons would become greater hives of industry and hard work, and every man would be kept usefully and fully occupied. Prison labour could then be reorganised on a strictly commercial basis, every man or woman being put to work which he or she was most fitted for. Further, the men would thus materially contribute towards their own support ; and if a share of his earnings were allowed to a man on discharge, it would serve the twofold purpose of giving him an incentive to work hard, and provide him with some means of subsistence whilst seeking work after he was released from prison, apart from the limited assistance provided by the Discharged Prisoners' Aid Society.

In regard to prison punishments, these will probably remain as at present for many years to come. The public conscience will apparently demand capital punishment for murders of the first degree, at least, e.g. as in the brutal murder by Browne and Kennedy and George Smith of brides-in-the-bath ill-fame. The *crime passionelle*, the crime which is more mental or sexual than criminal, should, it is thought, be dealt with in a different way than at present. Flogging and birching will possibly prevail, though much less used as an ordinary punishment.

For reasons adduced elsewhere (see p. 13) flogging should, like capital punishment, be used sparingly and as a reserve force ; flogging appears to be no panacea or remedy for crimes of violence, for such

crimes continue to be committed despite the fear of flogging. Crimes of violence are often unpremeditated, and are sometimes committed for the somewhat natural though unlawful purpose to enable a criminal to escape from justice. On the other hand, the blackmailer, the "moral" murderer, who after much premeditation and devilish ingenuity deliberately stalks his prey, and who tortures his victim by extortion by the fear of exposure, is not flogged. Long terms of penal servitude and more protection and consideration for the victims, together with the infliction of corporal punishment, may well lead to a decrease in the growing activities of the blackmailer. Such a one belongs to that class of criminals that appear to deserve no sympathy or mercy from the community. It appears, unfortunately, necessary to retain flogging for grave cases of violence on officers of a prison for the mutual protection of both officers and prisoners. If an officer imagines that he is about to be attacked and knows that the prisoner will not be flogged for assaulting him, he will unhesitatingly draw his truncheon as a means of defence, and may seriously injure a prisoner who may, in fact, have had no intention of assaulting the officer at all. The "cat" is applied on the back, the birch on the posterior. The punishment of the "cat" is very painful because of the comparative absence of flesh on the back; whereas the birch is less painful but more humiliating.

The problems of prison and prisoners are very complex, they require a wide knowledge of human nature, a scientific understanding and appreciation of the mental and physical weakness of the human being—here the experienced medical officer is of great value

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and importance—and the insistence of firm, kindly and intelligent discipline and treatment. The aim of prisons should be the sending out of a man more physically fit and more mentally able than when he went in, so that he may take his place in the outside world as a normal person. It is obvious that men are usually more physically fit when they come out of prison than when they go in. In this connection Sir Henry Curtis-Bennett, K.C., tells a good story against himself. The other day, he said, he met a man who had just served a term of penal servitude and told him he looked extraordinarily well. "I am," said the man. "That sentence saved my life, and from the look of you twelve months would not do you any harm." The great obstacle is in the adequate provision of useful work for the prisoner on his discharge. It is idle to regard prison primarily as a place of punishment; this view tends to make a man embittered and lose his self-respect; such a man may well become a menace and danger to society on his discharge.

Religion often plays an important part in the spiritual and moral regeneration of the prisoner. Attendance at religious services should be and is entirely voluntary subject to the proper regulation that a prisoner is expected to attend a religious service unless he has any reasonable ground, of conscience or otherwise, for staying away. Bright musical services should predominate, and more changes should be made in the variety of the preachers. The chapels too often are ugly and uninspiring; philanthropists who help to beautify churches outside might well consider the desirability of providing for the decora-

tion and adornment of prison chapels. A prison chapel should be beautiful and should appeal to the prisoner as something not belonging to or a part of the prison buildings. It should be a joy whilst he is in prison, and more or less a thing of beauty and a stimulus for spiritual devotion, not as it invariably is at present, an ugly reminder that he is a sinner of a deeper dye than those outside.

The occasional practice of using the same chapel for holding services of different faiths or using a chapel for the delivery of secular lectures does not seem a fit and proper use of an edifice specially set apart for divine worship ; lack of other suitable accommodation is no doubt the explanation of this practice.

Roman Catholic services are always conducted by Roman Catholic priests, whereas Anglican services are conducted by Anglican priests who are invariably assisted by Church Army Evangelists. In the absence of the Anglican Chaplain, e.g. when on vacation, the whole service, with some modifications, may be taken by the Church Army Evangelist ; he also frequently preaches the sermon even when the Chaplain is present. There are, it is suggested, two places in prison which should as near as possible correspond with the conditions and arrangements prevailing outside prison, viz. the hospital and the chapel.

It is only fitting that Divine Service in the Anglican chapel itself should usually be conducted by an Anglican priest. The complete service, e.g. Holy Communion, cannot be undertaken by laymen. These laymen are no doubt very earnest, devout and sincere, but they necessarily lack the ability and authority of the ordained priest. Some lay preachers

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have a regrettable tendency to shout rather than to expound, to preach at the prisoners instead of to them. They seem, at times, to regard crime and sin as the same thing, and apparently are somewhat conscious that they are addressing criminals rather than fellow sinners. The problem of chapel services is not an easy one, but worshippers at purely Anglican services expect and are entitled to the ministrations of an Anglican priest. It should be remembered that prisoners comprise all sorts and conditions of men, representing every trade and profession. Many of them are highly educated and cultured men, and since attendance at Divine Service is practically universal, the ministrations of their own educated and experienced priesthood should always be available in prison chapels.

In Roman Catholic services in prison, the priest is supreme ; no one can encroach on his priestly authority or functions. There is, of course, no objection to mission services of an Evangelistic nature being carried on by laymen, but the dignity and beauty of the services provided by the Prayer Book should demand, it is thought, the ministrations of Anglican priests only.

Great strides are gradually being made in the direction of real and sane prison reform based on a full knowledge of the facts, aided by the researches and experience of medico-legal science, stimulated by imagination and intelligence and governed by feelings of humanity and restraint. Prison reform is in a transition stage and new developments are constantly taking place.

That illustrious and romantic Lord Mayor of Lon-

don, Sir Richard Whittington, was one of the earliest prison reformers, and in the quaint religious language of his period laid down the principle that "everyone is sovereignly bound to support, and be tender of, the lives of men whom God has so dearly redeemed with His precious blood."

The future of the English prison may well be left with an enlightened Prison Commission under the control of the Home Secretary, aided by intelligent Governors and staffs, who invariably carry out their difficult duties with humanity, firmness and consideration for their weaker fellow-creatures.

The one thing lacking which will retard prison reform and delay some solution of how to deal with the criminal in our midst is the absence of a sane, educated public opinion. The public are deeply and keenly interested in the problems of hospitals for the sick and suffering, but they are supremely indifferent to the lot of the prisoner, forgetting that the community to which they belong may very well be responsible economically, socially or commercially for the existence of the criminal himself.

In a speech in the House of Commons on June 30, 1933, the Home Secretary, Sir John Gilmour, said

"that 43 per cent. of the criminal proceedings taken in 1931 were traffic cases, mostly connected with motor-cars. Except for these traffic cases there had been a decrease in recent years in almost all classes of non-indictable offences such as drunkenness, assault, begging, sleeping out, and offences against the Poor Law.

"It was gratifying to note that there was an improvement in the general social conditions and social

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behaviour. It was equally satisfactory to note that there was a decrease in the graver form of crime involving the taking of human life.

“The figures of indictable offences showed that there had been no decrease in recent years and no increase over a period of the last twenty years.

“Ninety-five per cent. of the indictable offences were offences against property, and 90 per cent. fell under the three heads, larceny, breaking and entering, and false pretences and other frauds. In each of this class of offence there had been a substantial increase in recent years.”

As regards probation, a London magistrate, Mr. Claud Mullins, has stated :

“As the law stands at present, anyone convicted of an offence may be remanded in custody for inquiry. If the magistrate demands a report, he may have one submitted.

“If that report states that the offender is unsuitable for probation, the only alternative is to send him to prison—in which case he will be under no supervision on his release—or to ignore the report and send him to the very probation officer who has pronounced him unsuitable for his treatment.

“What is needed is the power to give sentences which may be suspended after a week or two in prison so that the offender may come out of gaol and remain under supervision.

“More than £2,000,000 a year is spent on keeping the prisoners of this country. Only £100,000 is spent on probation.”

II. PRISON REFORM

The prison of tomorrow naturally depends on the extent and nature of reforms adopted in the prison.

However neglectful or indifferent public opinion has been in England as regards the life and conditions of prison, internationally much has been done by various congresses at and from 1872. In his book on Prison Reform, Sir Evelyn Ruggles-Brise, K.C.B., records the results of these congresses. There is, this author says, a common purpose sustained for so many years by the leading countries of the world, quietly and unostentatiously to introduce a greater humanity, both in law and practice, with regard to those who offend against social order in things both great and small. This is illustrative of a remarkable human fellowship or solidarity derived from a common desire that not only shall there be no unnecessary suffering or degradation in the execution of the law, but that the law itself, while fully and adequately protecting society from those who do it injury, should yet not strike blindly at the offender. It should be inspired with the spirit of mercy and indulgence—so far as these would be suggested and justified by a consideration of all the circumstances of each individual case—the age, sex and history of the offender, and such mental and physical characteristics as preliminary inquiry or medical examination would disclose.

The problems relating to prison reform include the individualisation of punishment ; the most effective method for dealing with limited responsibility, in the case of persons accused or convicted ; the institution of psychical laboratories in prisons ; the application of the indeterminate sentence, both to grave and petty crime ; substitutes by, or alternatives to, imprisonment in the cases of trivial offences ; the classification and employment of prisoners ; the supervision of per-

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sons under conditional conviction or liberation ; preventive methods for saving children and all young persons from a criminal career by their corruption due to bad environment or the contaminating influence of immoral pictures or publications, by film or otherwise.

In the cause of prevention, reform is proceeding throughout the civilised world on the same lines, and working by the same methods, viz. :

1. The co-operation of the State and of the individual in the rescue of the waif and stray, the ill-treated, and the untaught.
2. The special treatment in industrial and reformatory schools of vicious and unruly children.
3. The establishment of children's courts (see p. 38).
4. The segregation of adolescents from adults.
5. The recognition of the value and importance of probation as a handmaid of the criminal law, offering her services under proper guarantees and safeguards (see p. 37) of protection and supervision with the object of avoiding, in the case of the young and the casual offender, the stigma of imprisonment.

The modern school of *l'hygiène préventive* holds the view that prevention will operate by the elimination of the social causes which create unhealthy environment, and by the encouragement of scientific treatment of the feeble in mind or body—so that if possible, before it is too late, the germs of anti-social conduct may be diagnosed and, if possible, destroyed by appropriate handling and treatment.

The passion for revenge by elimination by death or

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increasing severity of prison conditions have been found no remedy for the problem of crime, which has come to be recognised as not so much penal, as moral and social. The cure is to be found, says this experienced prison administrator, not so much in the direction of reform of the prison regime or even in new penal codes, but in the realisation of the simple truth that conduct results from the obscure and competing causes of environment and heredity ; and that the solution of the problem of punishment is to be found in a wise appreciation and direction of the instincts and impulses of ordinary human nature conditioned by these two factors. Upon the prison of tomorrow will depend the manner in which the following problems are solved : recidivism, limited responsibility, short sentences, conditional liberty, the care of the young and feeble-minded, rehabilitation and aid-on-discharge.

PART V
APPENDICES

APPENDIX I
DISCHARGED PRISONERS' AID
SOCIETIES
(1932)

THE objects of these societies are to render assistance to prisoners on discharge from prison by the following means :

1. By seeking their restoration to parents, friends, or employers, and furnishing them with means of returning home.

2. By providing a refuge at the various institutions in and about the Metropolis, and paying, when necessary, for their maintenance.

3. By giving them stock to sell, purchasing tools or clothes for them or redeeming their goods from pledge, and otherwise assisting them, thus promoting and helping, as far as possible, the efforts of discharged prisoners towards obtaining honest employment and a return to a straight life.

4. By visiting and assisting the families of prisoners during the currency of their sentences.

A grant of 2s. for each discharged prisoner is paid by the State to the Discharged Prisoners' Aid Society, for the benefit of discharged prisoners. This sum is largely supplemented by private charitable subscriptions.

1. SURREY AND SOUTH LONDON

The President is Viscount Sankey, G.B.E., Lord Chancellor ; the Chairman, who takes a keen and

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active interest in the work, Lieut.-Colonel Arthur Bellamy ; the Lady Almoner, Mrs. T. C. J. Burgess ; the Treasurer, Malcolm Macnaughtan, and the Secretaries, the Misses Margaret and Beth MacAra, supported by a strong committee.

The income from subscriptions, donations, Government grant of £360 (i.e. 2s. for every prisoner discharged) and other sources is £2,381, of which £1,398 was actually expended on prisoners, the cost of agents £676 (a very necessary and useful expenditure spent in making exhaustive inquiries), with a balance in hand of £301. This society benefits to the extent of £58 out of the Sheriffs' Fund, which is spent chiefly for the relief of the wives and families of prisoners.

I.	Number of Convicted Persons discharged during	
	1932	2,283
II.	Number of individual cases assisted	1,861
III.	Nature of the assistance given to the cases shown under II, viz. :	
	Found work for	171
	Paid railway fares	86
	Paid board and lodging	1,735
	Sent to Homes	44
	Gave clothes	465
	Gave stock	74
	Gave tools	26
	Gave money	716
IV.	Of the Prisoners shown under II, there were on conclusion of our inquiries in February 1933 :	
	(1) Doing well	127
	(2) Doing fairly well	24
	(3) Doing badly	12
	(4) Re-convicted or awaiting trial	235
	(5) Lost sight of or deceased	1,463
		<hr/>
		1,861

DISCHARGED PRISONERS' AID SOCIETIES

2. BRIXTON

The President is Sir Louis Newton, Bart. ; George H. Heilbuth, C.C., a former Mayor of Westminster, is the energetic and forceful Chairman and Hon. Treasurer, and the Hon. Secretary, the Rev. W. Graham Moeran, M.C.

The income is £667, the amount actually expended on prisoners was £462, administration expenses £101, and £103 balance in hand. The following statistics are eloquent of the valuable work done by this society :

UNCONVICTED PRISONERS

TOTAL NUMBER DISCHARGED (ALL CLASSES) FOR YEAR 1932

Debtors	3,718
Remands and bound over	2,049
Trials and bound over	444
Others	127

CONVICTED.

Number discharged	127
Total	<u>6,465</u>

NUMBER OF CASES ASSISTED 1,805

Cash for board and lodgings given to	978
Stock given to	40
Boots or clothing	320
Tools given to	15
Fares given to	120
Assistance sent to families	62
Assisted in various ways	65
Sent to other prisons	5,257

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The Total Number of Debtor Prisoners was made up as follows :

Rates	:	1,522
County courts	665
Affiliation orders	.	.	.	.	.	.	.	379
Married Woman's Act	.	.	.	.	.	.	.	953
Other debts	.	.	.	.	.	.	.	199
								<hr/>
Total	.	.	.	.	.	.	.	<u>3,718</u>

3. HOLLOWAY

This branch has the advantage of an influential committee with the Lord Mayor as President, Lieut.-Colonel J. A. C. Younger as Chairman, and T. W. H. Cassidy and L. C. F. Nash respectively as Secretary and Hon. Treasurer.

Holloway, formerly used only as a male prison, now receives women prisoners from thirteen centres immediately surrounding London, viz. Berkshire (Chairman, Mrs. James Railton, J.P. ; Hon. Secretary and Treasurer, Miss Railton), South Bucks (Chairman, the Viscountess Hambleden ; Hon. Secretary and Treasurer, Miss Foster), North Bucks (Chairman, Mrs. Denny ; Hon. Secretaries, the Hon. Ruth Hubbard and the Rev. J. E. Pugh), Essex (Chairman, Mrs. T. G. Pelly ; Hon. Secretary, Miss G. Waters), Hertfordshire (Chairman, Mrs. Walter Barnett ; Hon. Secretary, Miss G. M. Williams), London County (Chairman, Lady Carter ; Hon. Secretary, Miss Joan Poole), Middlesex (Chairman, Lady (Travers) Humphreys, J.P., who is also the Hon. County Organiser), Norfolk (Chairman, Hon. Mrs. F. Crossley ; Hon. Secretary, Mrs. C. Birkbeck ; Hon. Treasurer, Hon. Mrs. E. Barclay), Oxfordshire (Hon.

DISCHARGED PRISONERS' AID SOCIETIES

Secretary and Treasurer, Hon. Mrs. Algernon Borthwick), Surrey (Chairman, Mrs. Swithinbank ; Hon. Secretary, Mrs. Burgoyne), East Sussex (Chairman, The Countess Brassey ; Hon. Secretary, Mrs. J. Egerton), West Suffolk (Chairman, Lady Bunbury ; Hon. Secretary, Mrs. Harold Martin).

An important feature of the social work at this prison is the Dalmeny Hostel, the able and active Chairman of which is Lady (Travers) Humphreys, J.P., and the Hon. Secretary, Mrs. Jervis. Since the hostel was opened, $8\frac{1}{2}$ years ago, 1,394 women and 57 babies have been admitted. In 1932 there were admitted 102 women and 4 babies, 70 per cent. of whom went into situations.

The financial statement reflects the generosity and driving force of the many energetic friends of this branch. The income for 1932 amounted to £2,484, consisting of subscriptions, donations and Government grants, to which the City Livery Companies were generous subscribers. Of the expenditure the chief items were £1,166 devoted to direct assistance to prisoners, £564 to the hostel, and £351 to the very essential cost of agents who have made the necessary inquiries before help is given. The investments amount to some £9,857. £58 was also received from the Sheriffs' Fund, which was spent in food, travelling, lodging, clothing, the purchase of stock and the granting of money.

I.—ADULT PRISONERS

- | | |
|---|-------|
| 1. Number of convicted prisoners (excluding young prisoners) discharged during 1932 . . . | 2,217 |
| 2. Number of individual cases (excluding young prisoners) assisted during the year 1932 . . . | 1,474 |

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3. Nature of assistance given, to the cases shown under 2, viz. :

Placed in new employment . . .	297
Returned to former employment . .	430
Paid fares (railway, 'bus or tram) .	574
Gave board and lodgings to . . .	448
Sent to Homes, Hospitals or Infirmarys	551
Gave clothes to	513
Gave stock to	153
Gave money grants to	512
Sent to relatives or friends	893
Sent to the Society's Hostel	57

4. Of the prisoners shown under 2, there were on December 31, 1932 :

1. Doing well	414
2. Doing fairly well	505
3. Unsatisfactory	277
4. Re-convicted and waiting trial. .	24
5. In Infirmary, Union, or Mental Home	16
6. Unfit for work	19
7. Lost sight of, or deceased	205
8. In Agents' hands, not yet reported on	14
Total	<u>1,474</u>

II.—YOUNG PRISONERS

TABLE I. DISPOSAL

Total number of ALL CONVICTED "Young Prisoners" discharged from the prison during the year ended December 31, 1932

73

The Society helped 68 Young Prisoners in the following ways :

Found work for	38
Returned to former employment . .	5
Paid railway fares for	39
Gave board and lodging to	39
Sent to Homes, Hospitals or Infirmarys	14
Gave clothes to	24
Gave money grants to	33
Sent to relatives or friends	36
Sent to the Society's Hostel	18

DISCHARGED PRISONERS' AID SOCIETIES

TABLE 2. SUBSEQUENT HISTORY

Summary of the present position of the persons helped during the year 1932 :

1. Doing well	33
2. Doing fairly well	15
3. Unsatisfactory	6
4. Re-convicted or awaiting trial	5
5. Lost sight of, or deceased	9
Total	<u>68</u>

WORMWOOD SCRUBS AND PENTONVILLE

For administrative purposes, Wormwood Scrubs and Pentonville are amalgamated for the work of this Society. The President and Chairman is F. P. Whitbread, a very ardent worker of this Society ; the Hon. Treasurers, W. J. H. Brodrick and L. H. Norndon, and the Hon. Secretary, Lieut.-Colonel C. B. Bevis, supported by a strong and representative committee. The income for 1932 was £4,152, expenditure £5,551, with a deficit balance of £751.

The income derived from donations and subscriptions—the City Companies being generous donors—was £2,106, Government grants £798, and £993 dividends on investments of £23,875. Many gifts of clothing materially reduce the expenses of the Society.

In addition, the Sheriffs' Funds Society (founded in 1807 by the Sheriffs of the City of London) contributed generously to the support of the wives and families of men confined in prison.

The annual returns of this Society, showing assistance given during the year, are as follows :

I.—ADULT PRISONERS		
I. Number of convicted prisoners discharged during the year ended	Pentonville.	Wormwood Scrubs.
December 31, 1932	2,622	4,171
		219

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I.—ADULT PRISONERS (*continued*)

II. Number of individual cases assisted during the year ended December 31, 1932	Penton-ville.	Wormwood Scrubs.
	2,148	3,052
III. Nature of the assistance given to the cases shown under II, namely :		
Returned to former employment	27	35
Placed in new employment	65	265
Grants of money	1,960	3,045
Provided with food and lodgings	92	18
„ „ clothing	160	206
„ „ tools	10	7
„ „ stock	10	13
„ „ rail and coach fares	35	5
Assisted in other ways :		
Employment fees	3	10
Union fees, licences, advertisements	1	7
Spectacles and surgical appliances	7	24
Fines paid	5	14
Families assisted	5	8
Various	6	3

II.—YOUNG PRISONERS

WORMWOOD SCRUBS

I. Total number of Young Prisoners discharged during the year ended December 31, 1932 (exclusive of cases transferred to Borstal Institutions or to other collecting centres for Young Prisoners)	824
II. Total number of Young Prisoners assisted during the year	769
III. Nature of assistance given :	
Returned to former employment	6
Placed in new employment	14
Maintenance grants	769
Clothing	27
Tools	4
Stock	8
Employment fees paid	1
Referred to other Societies and Institutions	55

This is an illuminating and instructive report. It boldly and properly deals with questions on which public opinion requires enlightenment and direction. They are as follows :

Why should discharged prisoners be assisted ?

In urging the claims of the discharged prisoner we are frequently met by some such objection as the following : " Why," it is asked, " should I give employment to, or contribute to the assistance of, men whose difficulties are plainly due to their own fault when there are so many people who are out of work or in distress through no fault of their own ? "

We maintain that this question involves generalisations of a vague and sweeping kind which cannot for one moment bear the scrutiny of careful thought. It confounds the question of legal guilt and moral turpitude, and tends to draw a hard dividing-line between guilty and innocent which, as soon as we begin to probe beneath the surface of outward appearances, is often found to have little justification in actual fact ; and it further lays to the charge of the delinquent much of the moral responsibility which should more properly be borne by the community as a whole.

Crime and Unemployment.

It should be remembered that by far the greater part of the Society's efforts are directed to the assistance of the first offender. It is admitted on all hands that one of the gravest dangers of unemployment lies in the devastating moral effect which it has upon many of its victims. Particularly is this true in the case of young men—779 youths between the ages of sixteen and twenty-one were discharged last year from the Boys' Prison at Wormwood Scrubs—young men just at that age when above all active employment of body and mind is a vital necessity to moral development

on sound and healthy lines. We maintain that the problem of crime, so far from being divorced from the general problem of unemployment, is an integral part of it, demanding clear-sighted vision, unfailing sympathy and strenuous action on the part of all who have the future welfare of the country at heart.

The Prison Stigma.

In the question which we set out to answer there is a further implication that to assist the lawbreaker is unfairly to penalise the man who is honest. We venture to believe that such a point of view would not long be maintained by anyone who had formed any clear conception of the forces of indiscriminating prejudice by which the prisoner on his release is liable to find himself opposed. It makes no difference that these forces are in the main the result of thoughtlessness and subconscious fear, and not of any deliberate intention to do him an injury. Penniless perhaps, with a wife and family to support, and with many avenues of employment which are open to the honest man irrevocably closed to him, what possible further hope or aim could he have in life if, in addition to the penalty imposed by the law, he is to be condemned to a further indeterminate and perhaps lifelong sentence of social ostracism?

It is certainly not to ask for any unfair preferential treatment for the prisoner that the Society exists, its aim being merely to ensure, so far as possible, that he is given reasonably fair consideration alongside the man who has committed no crime; that some avenues at least are kept open for his return, having purged his offence, to industrial life and citizenship.

APPENDIX II

THE UNOFFICIAL PRISON VISITOR

ONE of the most important features of life at all prisons is the work of the unofficial visitor. The aims and objects of this work are clearly set out in the following regulations :

1. Visitors are voluntary workers who on the invitation of the Prison Commissioners are permitted to undertake regular visitation of prisoners. Voluntary teachers are invited by the Governor of the prison on the recommendation of the educational adviser, and subject always to the general approval of the Prison Commissioners. Visitors and teachers alike share in the work of making the best possible use of the prisoner's time, in order that he may as far as possible leave prison better fitted for citizenship in the free life of the community than before.

2. For this a vigorous training of mind and body is required. To improve character, we have to increase mental and physical health and alertness. A healthier outlook on life and human society, and a sense of responsibility towards fellow-citizens, can best be developed in the quickening mind and the sounder physique which result from making the day's work, both of hand and of brain, as strenuous and as interesting as it can be made.

To this end the prisoner receives simple but sufficient food ; the habit of work is maintained and if possible developed in him by suitable employment ; and bodily vigour is improved by physical exercises. An object of at least equal importance is that of creating and sustaining mental activity, arousing interests

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which will drive out of the mind the range of selfish and sordid ideas by which it has too often been occupied, and prove an abiding gain for the prisoner's future life.

Social conversation is, however, another ingredient of ordinary life essential to most men, if they are not to lose balance and perspective. There are obvious difficulties that prevent unlimited conversation between the prisoners themselves ; topics are few and the current of talk is stagnant. People of experience, sense and sympathy, who are unconnected with the official administration of prisons, calling on prisoners in their cells, and conversing on the widest range of topics, can supply this need. Such people can also do much to alter a prisoner's outlook on life, to lessen his selfishness, and to rouse in him some idea of his obligations to his fellow-citizens. Sympathy shown in the individual affairs of each prisoner will render him more responsive to the healthy influences brought to bear upon him.

It is for these purposes that the services of visitors and teachers are sought at every prison.

3. Information on current topics may be imparted to prisoners, but controversial politics are to be avoided, and it will be remembered that religious instruction, and spiritual ministration generally, are the work of the Chaplain. Considerable help can be given to a prisoner by advice as to his studies and reading. Suggestions from visitors and teachers as to books which may usefully be added, as funds allow, to the prison libraries, will be welcomed by the Chaplain.

4. A voluntary worker should not concern himself with such questions as the justice of the convictions or the length of the sentences of those whom he visits. He should not therefore address to the Secretary of State, to Members of Parliament, or to other promin-

ent persons, appeals on behalf of prisoners ; nor should he in his capacity of prison worker approach the Court on behalf of a trial or remand prisoner. Prisoners will often wish to discuss such matters, but the worker should avoid such discussions. For one thing, he has no means of checking the statements of the prisoners : for another, the prisoners not only have their legal rights of appeal but they can at all times state their cases fully in petitions to the Secretary of State. Should there be brought to a worker's notice any matter which appears to deserve attention, but which there is good reason to believe the prisoner cannot present properly in a petition to the Secretary of State, the worker should communicate the point to the Governor or Chaplain of the prison, but not to any person outside.

5. Similarly, any complaints which a prisoner may make to a worker about his treatment, or that of any other prisoner, or about the conduct of any officer, can be raised by petition or application, and if the worker feels that he ought to take any notice of them at all, they should be referred to the Governor, who is fully responsible for everything that occurs in the prison.

6. Should a visitor or teacher who is interested in a prisoner's personal or family affairs desire to render him any service, the Commissioners, while welcoming such friendly offers, beg him to remember the following :

- (1) Communications with the friends of a prisoner may only be made with the consent of the Governor.
- (2) Overlapping and confusion between visitors, teachers, and the Prisoners' Aid Society are liable to result unless the voluntary worker before taking any action consults the Governor or Chaplain.

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- (3) Any offer of assistance for the prisoner's family, or of assistance for the prisoner himself after discharge, should always be made through the Prisoners' Aid Society.

In particular visitors and teachers are earnestly requested not to spend money on prisoners in any way except through the Prisoners' Aid Society, and with the Society's approval.

7. A matter of first importance is the re-establishment, through Prisoners' Aid Societies, of prisoners on discharge. The recommendations and advice of visitors, based on the knowledge acquired by them of the character, wishes, circumstances, and prospects of prisoners while serving their sentences, is invaluable to the Societies when making provisions for rendering practical assistance to prisoners on discharge : and all visitors should regard it as a duty to help the Aid Society by giving the Society information about the prisoners whom they visit.

10. All voluntary workers must be careful to observe the rules of the prison ; otherwise their work could not be carried on. In any case of doubt the Governor will always be ready to advise a worker. It is the duty of the Governor and of all his officers to see that all persons obey the rules.

Particular attention is drawn to the following rules :

- (1) A voluntary worker will not write about any prison matters for publication.
- (2) No letter or communication of any kind may be conveyed to or from a prisoner without the Governor's permission. No food, drink, tobacco, books, papers, or article of any kind should be given to a prisoner. Conveying articles into or out of prison contrary to the Regulations is a statutory offence.

It cannot be stressed too much that the work of the

THE UNOFFICIAL PRISON VISITOR

unofficial visitor must be done with the full knowledge, consent and supervision of the Governor, and that the visitor must adhere rigidly to the rules and regulations of the Prison Commissioners. These regulations, from the personal experience of the author, are reasonable and considerate and will not in any way restrict a visitor from doing good, useful work within the necessary official limitations. The prisoner must at times be protected from a fussy, unintelligent visitor. The merely inquisitive and curious person is quite unsuitable for this social work, and it behoves every visitor to have that restraint on his conduct and manners in order to avoid an allegation by a former prison Governor of his description of them as "nosey parkers" and "busybodies" whose "work may be excellent but the soft, sloppy sob-stuff has crept in."

The prison visitor brings in a breath of the outside non-official air, his visits are always welcome, especially by the educated man, who thus has an opportunity of talking to others of like mentality and understanding, and thus keeps him in touch with the world at large. He may be able to relieve a man's anxiety as to his family and other prospects. But it is obvious that all this work must be done with reticence and tact and no action of any sort must be undertaken without the previous sanction and full knowledge of the Governor.

The following is a short simple account of this useful social work by R. P. Drought, one of the unofficial visitors attached to Wormwood Scrubs Prison.

A Prison Visitor is a Voluntary Worker who, on the invitation of the Prison Commissioners, is permitted to undertake regular visitation of prisoners with the object of helping them to a healthier outlook on life

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and a greater sense of responsibility towards others. Social conversation is essential to change the current of their thoughts, drive out selfish and sordid ideas, and by sympathy shown them in their affairs prevent them from becoming morbid.

A visitor is provided with a list of men on whom he calls at regular intervals, usually once a week, tells them the outside news, hears their family troubles, and tries to solve the many problems that he is faced with. Having visited a prisoner for a time, secured his confidence, and got to know him, his visitor is naturally anxious that when the man is discharged he won't be left to sink or swim, and finding himself unable to obtain work be driven into crime. This is where the visitor turns for help to such societies as the Church Army, The Royal Society for the Assistance of Discharged Prisoners and other Prisoners' Aid Societies who help with tools, clothes, money, and as far as possible find work for the men on discharge.

APPENDIX III

THE PRISON COMMISSION

OFFICIAL FACTS AND VIEWS TODAY

THE Prison Act, 1877, made the maintenance of prisons and the prisoners therein an expense to be defrayed out of moneys provided by Parliament instead of by local authorities as in the past. The Act also provided for the appointment of Prison Commissioners, not exceeding five at any one time, and also for the appointment of inspectors, and other officers and servants. The present Commissioners (1933) are Harold Scott, C.B., Alexander Paterson, M.C., and W. Norwood East, M.D. (medical), and the Assistant Commissioners and Inspectors are M. H. M. Lamb, O.B.E., L. W. Fox, M.C. (Secretary), G. D. Turner, J. C. W. Methven, with Lieut.-Colonel Rogers, D.S.O., C.M.G., as Surveyor. The last report presented to Parliament in 1933 contains statistics for 1931, and reviews the more important events and changes of 1932.

The general supervision of prisons is vested in the Prison Commission, subject to the control of the Home Secretary.

The prison report for 1931, which refers to all prisons, including London, is an illuminating and instructive document.

“Persons found guilty of serious crimes form only a small proportion of the total number of persons sent to prison.

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“ Out of every 100 men committed to prison in 1931 there were 24 committed by civil process for failure to pay monies due under Court orders and 17 committed for failures to pay fines. There were also 14 committed on remand or for trial and not subsequently sentenced to imprisonment. These three classes of cases accounted for 55 per cent. of the receptions. Of the remaining 45 many were sentenced for such offences as disorderly conduct, begging, sleeping out and offences against the Poor Law and Police Regulations. Sentences for indictable offences accounted for only 26 out of every 100 men received into prison, and included among the 26 were many cases of men convicted of minor larcenies or frauds and sentenced for periods of a few weeks. Out of every 100 receptions of men the number due to crimes sufficiently serious to entail sentences of three months was 15. Out of every 100 receptions of women, the corresponding figure was 9.

“ In 1931 there were 46,800 persons over 16 years of age found guilty of indictable offences, and of these 15,842 or about 33 per cent. were sentenced to imprisonment or penal servitude or Borstal Detention. The remaining 67 per cent. were fined or bound over or placed on probation, etc.”

Men received in prison were 53,043 as compared with 53,063 for 1930 ; women 6,442 as compared with 6,783 for 1930. Consisting of :

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	MEN. Per- centage.		WOMEN. Per- centage.	
Committals on remand or for trial not followed by sentences of imprisonment	7,588	14·3	1,299	20·2
Committals for failure to comply with Court orders for payment of money	12,818	24·2	197	3·0
Committals in default of fines imposed	9,051	17·1	2,492	38·7
Sentences of imprisonment without the option of a fine :				
(a) Non-indictable offences ¹	9,704	18·2	1,235	19·2
(b) Indictable offences	12,498	23·6	1,144	17·8
Sentences of Borstal Detention	873	2·6	28	1·1
Sentences of Penal Servitude	511		47	
	<u>53,043</u>	<u>100</u>	<u>6,442</u>	<u>100</u>

¹ Usually triable by magistrates only.

The principal offences for which prisoners were received on conviction were :

Indictable :

Murder, manslaughter, wounding	468
Burglary and housebreaking	2,322
Larceny, embezzlement, and false pretences	11,762

Non-indictable :

Assaults	2,153
Drunkenness	7,484
Breach of police regulations	1,335
Disorderly behaviour by prostitutes	205
Begging and sleeping out	1,932

The length of sentences were :

	Men.	Women.
Not exceeding 1 month	16,673	3,562
Not exceeding 6 months	11,418	1,150
Not exceeding 12 months	1,953	132
Not exceeding 2 years	863	31
3 years and under 5	509	22
5 years and over	96	6

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The daily average prison population was :

	1931.	1930.
Men . . .	10,884	10,561
Women . . .	792	785

Recidivism

About 70 per cent. of the men and 86 per cent. of the women are known to have been previously proved guilty and the inference is that the effect of imprisonment on women is even more demoralising than its effect on men, but regard must be had to the preponderating influence of imprisonments for drunkenness of women. Before the War the number of convictions for drunkenness among women was over 35,000, in 1931 these had decreased to 7,131.

Young Persons (i.e. under 21 years)

Of 1,883 youths sent to prison, 862 or 46 per cent. had not been previously proved guilty of offences. The chief offences were larceny, offences against Highway Acts, assaults, frequenting, breach of police regulations, burglary, housebreaking and sexual offences.

Borstal Detention

Boys.—The number of youths sentenced to Borstal Detention continues to increase. The increase is due in part to an increase in the number of youths found guilty of serious offences, and in part to an increasing recognition by the Courts that for young offenders of criminal habits or tendencies Borstal training is preferable to a sentence of imprisonment. As regards the first point, the Criminal Statistics show that the

number of youths between 16 and 21 years of age found guilty of indictable offences was 9,209 in 1929, 10,700 in 1930 and 11,130 in 1931. As regards the second point, the increase in Borstal sentences was balanced up to 1929 by a decrease in sentences of imprisonment.

Girls.—The number of girls remains very constant, being 47 for 1931. In nearly every case before a Borstal sentence is passed everything has been tried to alter their way of living and Borstal training has been given almost as a last resort. About 63 per cent. of discharges are known to be satisfactory.

Penal Servitude

Men are now divided into three classes :

1. The "Star" class consists of those who should be separated from others because they have not been previously convicted or not previously convicted of serious offences and are not of criminal or corrupt habits.
2. The "Special" class is for men under the age of 30 who are serving a first sentence of Penal Servitude, have previous convictions or records which show that they are not suitable for the "Star" class, and are not of poor physique or mentality. The object is to separate the younger men of criminal habits or tendencies who are vigorous in body and mind from those who are older or are of poor physique or mentality, with a view to subjecting the young and fit men to forms of employment and training appropriate to their age and character. Chelmsford Prison was opened in

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November 1931 as a special establishment for offenders of this type.

3. The "Ordinary" class consists of persons who are unsuited for either the "Star" or the "Special" class.

Those of the "Star" class are either at Maidstone Prison or Wakefield Prison. At Wakefield they are associated with men who have been sentenced to substantial terms of imprisonment but are not of criminal habits.

Those of the "Special" class are sent to Chelmsford and are there associated with young men of the same type sentenced to substantial terms of imprisonment.

Convicts of the "Ordinary" class sentenced for terms not exceeding three years remain as a general rule in the local prison serving the Court at which the prisoner is sentenced. Convicts of this class sentenced for periods of over three years are mostly at Parkhurst and Dartmoor.

As regards women sentenced to penal servitude, those of the "Star" class are at Aylesbury Prison, and the others are at Holloway.

Murder

In 1931 there were known to the police 101 cases of murder of 111 persons aged one year or over. In 34 cases, involving 42 victims, the murderer or suspect committed suicide; in 57 cases, involving 59 victims, 58 persons were arrested. In 10 cases, involving 10 victims, three of whom had died following illegal operations, no arrest was made.

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The 58 persons arrested fared as follows :

Discharged at Police Court	3
Committed for trial :	
No True Bill	1
Found Insane on Arraignment	8
Acquitted	11
Found Guilty but Insane	15
Convicted : Sentence of Death :	
Executed	12
Committed to Penal Servitude for Life	6
Conviction quashed by Court of Criminal Appeal	1
Respired and removed to Broadmoor	1
	—20
	—
	<u>58</u>

Prison Industries

The report draws attention to the difficulty of finding sufficient work to keep the prisoners occupied. This difficulty has been accentuated by a decrease in the demands of the Post Office for mail-bags and by the increase in the number of prisoners.

For reasons of economy in staff the hours of associated labour in many shops were reduced in October 1931. Although this change lessened the difficulty of finding work for the shops, the difficulty of securing enough orders for the increased hours of cellular labour became acute, as mail-bag sewing is practically the only class of work available and suitable for cellular employment.

There was an increase of work in the netmaking, nosebagmaking, shoemaking, sackmaking, tailoring, weaving, and wood-chopping industries, but there was a decrease in brushmaking, knitting, mailbag-

making, needlework, printing, fitting, smithing, twine-making and rugmaking.

Fitting Prisoners for Work after Discharge

The Departmental Committee on Persistent Offenders concluded the Chapter of their Report which deals with industrial training with the following paragraph :

“We would also suggest that the employment of persons sentenced to imprisonment or detention should not be considered in isolation as a problem of internal prison administration without reference to the prisoner's subsequent career as a free man, or to the organisations concerned with helping him. The problems of prison labour and of after-care have different origins and have developed along different channels. The first takes its rise in the administrative question of how to occupy as economically as possible persons under detention ; the second represents the development of a time-honoured philanthropy which makes heavy calls upon wide human sympathy and personal services by voluntary workers. But in any consideration of the methods of employing prisoners the importance of fitting them for work outside must be borne in mind. We think that the time has now come to regard these allied problems of administration and philanthropy as a single problem of industrial training and re-settlement.”

It must never be forgotten that though a large number of prisoners are persistent offenders, yet of the convicted prisoners received in 1931 there were 17,596 who had not been in prison before, and the chances of a prisoner becoming a persistent offender are largely increased if help is not available on his release.

Voluntary Workers

There are over 600 men and women who undertake regular visitation of prisoners, and in addition there are large numbers of volunteers who regularly give lectures or take classes in the prisons. Everyone who has had any experience of prison administration recognises the great value of this voluntary work.

The women visitors attached to the Boys' Prison at Wormwood Scrubs not only visit the young offenders in prison, but also visit their homes, if the homes are in or near London ; and report to the Governor the information and impressions gained by personal interviews with the young prisoner and with his parents or guardians. These reports, supplemented by information from the Medical Officers on the physical and mental characteristics of the youth, and, in Borstal cases, by written information obtained from the police and former employers and from others, enable the Prison Authorities to get a picture of the character and history of the offender and of the circumstances which have contributed to his delinquency.

These arrangements for the individual study of each young prisoner have three main objects. First, it is hoped in due course to compile from the data furnished by a large number of case papers statistical and other information bearing on the causes of crime amongst young people. Secondly, as regards those youths who are ultimately sentenced to Borstal training, the investigation facilitates the assignment of each youth to the most appropriate Institution, and is useful to the Governor and Housemaster who are responsible for his treatment and training.

Thirdly, the Prison Authorities are in a position to supply to any Court, which asks for a report, information which may assist the Court in deciding how to deal with the offender. Many Magistrates find such reports useful.

Persistent Offenders

These may be divided into three classes. First, the offenders of relatively strong character and mentality who deliberately choose a life of crime. Secondly, the offenders of weaker mentality and weaker moral character who drift into crime because they are unable to face the difficulties of ordinary social life. Thirdly, the pathological cases who may be amenable to medical and psychiatric treatment. There is no sharp distinction between these categories, and many cases belong to a border region in which various causes of widely differing character are at work.

On this the Medical Commissioner reports as follows :

“ Personal experience leads me to believe that the prison population today is not only superior in educational attainments but is also of a higher standard of intelligence than the prison population at the beginning of the century. Many prisoners today are above the average in intelligence, and many others of average intelligence are capable and alert, resourceful and aggressive men of determined character. They tend to raise the general mental level in prisons, but create special administrative problems. Apart from other considerations, the changed mental status and characteristics of many of the prisoners today have necessitated changed methods of general prison administration.”

THE PRISON COMMISSION

A practice has been operative for some years, whereby convicted prisoners who show mental abnormalities, but are not certifiable under the Lunacy or Mental Deficiency Acts, are transferred to a prison which has a section set apart for their observation, employment, and treatment. This measure has met with considerable success, but its usefulness is limited often by the shortness of the sentence which is being served. The Persistent Offenders Committee suggest that Courts should have the power of imposing prolonged sentences of detention for the protection of the public on certain types of persistent offenders for whom a shorter sentence is inadequate, and that this prolonged detention should be custodial and remedial. The Committee consider that there are many such offenders of feeble character and mentality who cannot be influenced either by reformatory training or by deterrent punishment, and, though their prolonged detention is necessary both for the protection of the public and for their own care and control, the objects of such detention should be purely custodial. It is contemplated also that different classes of offenders would be allocated to different Detention Establishments. If these recommendations are adopted there is likely to be a sufficient number of subnormal non-certifiable cases to enable a special Detention Establishment to be set aside for their care and control and for vocational employment adapted to individual requirements, free from the repressive features of prison life.

The Committee having heard medical evidence on the subject, recommend in their Report that "a medical psychologist should be attached to one or

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more penal establishments to carry out psychological treatment in selected cases" and considered that "action along these lines would determine whether the psychological treatment of delinquency is of sufficient value to justify statutory recognition as a means for the prevention and treatment of certain crimes."

BRIMSTONE WITH AND WITHOUT
TREACLE ¹I. BRIMSTONE AND TREACLE ²

LORD WRIGHT (not Lord Justice Wright as stated on the "jacket") writes a graceful foreword to this somewhat outspoken and indiscreet book on prison life. He truly says that it has been written with the same enthusiasm, the same breezy and sometimes impetuous style as Colonel Rich used to talk.

Evidently the author believes in the good old times, and reminds us of our early days when brimstone and treacle were prescribed for youthful excesses. His bill of fare for prisoners mainly consists of discipline, and plenty of it. His views on the cat are illuminating, and he thinks that "eighteen strokes is about the really effective minimum." He seems to have some lingering affection for the barbarous treadmill, for he says "in some ways it is a pity the treadmill was abolished for it was one of the things which made prisons unpleasant." He does not "like the voluntary chapel arrangements which are the rule in prison now."

The author has very decided views on the efficacy of capital punishment, though he believes in the recognition of the fact that there may be degrees of murder. He is inclined to be disrespectfully critical of the Prison

¹ This appendix may be considered irrelevant for the purposes of this book, but it is included as it is somewhat representative of public opinion.

² *Recollections of a Prison Governor*, by Lieut.-Colonel C. E. F. Rich, D.S.O. (London Hurst & Blackett, Ltd., 1881. net).

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Commission, its personnel and its work, forgetful of the fact that they have to lay down prison policy and that they have ultimately to bear the final responsibility to Parliament through the Home Secretary.

There are several unnecessary irrelevances in the book which seem to serve no useful purpose in dealing with prison life. Two may be quoted without comment, which, indeed, would be superfluous : " How long would a rotten Government remain in power if everybody voted according to his or her conscientious views and how often do the 400/. a year and free railway passes affect these ? " " Trade unionism, as run in England, has unfortunately done much to undermine this view of work's proper place in the scheme of things, which was beyond question an Englishman's natural view of his duty not so long ago."

It is apparent that but for a keen sense of humour, Colonel Rich might have been a martinet, but it is obvious, in spite of his prejudices and Victorian outlook, he was a popular governor and a very likeable person, judging by the many excellent tributes to his worth. Little human touches, here and there, reveal the fact that the author is not as callous as he unsuccessfully tries to prove he is, but a great-hearted man perhaps overwhelmed with the problems and difficulties of prison life.

Prisoners are, after all, human beings, even the very worst of them, and to describe some of them as " little better than vermin " seems hardly appropriate from one who appears to advocate compulsory chapel. After all, prisoners after serving their sentence have to come out again into a difficult world, and prison conditions and treatment should be of such a nature

that they may be able to start afresh with some degree of hope and opportunity.

The author's views on those interested in or concerned with prison conditions are somewhat blunt—he thinks they are “nosey parkers” or “busybodies,” and his opinion of prison visitors is that “much of their work may be excellent but the soft, sloppy, ‘sob-stuff’ has crept in.” He is not always accurate in his facts, e.g. a dock brief is not 22s. 6d. as if it were a price, but 1l. 3s. 6d.

The drastic treatment accorded to a prisoner who pretended that he was deaf, dumb and incapable of walking, described on pp. 54 *et seq.*, is apparently indefensible. Altogether, despite his many excellent qualities, the Prison Commission must have found Colonel Rich a somewhat difficult, though really a good-hearted, fellow.

It is a book that will certainly arouse much comment, though his views are inclined to be retrograde and not in harmony with the spirit of the times.

II. BRIMSTONE WITHOUT TREACLE

Victorians often prescribed brimstone and treacle as a cure for youthful excesses ; and there is little doubt that had Mr. Christmas Humphreys lived in those delectable days, he would have left out the treacle. For in his latest book,¹ the young ruffian who in a misguided spirit of adventure becomes a motor bandit, or a smash-and-grabber, or a forcible

¹ *The Menace in our Midst*, by Christmas Humphreys, M.A., LL.B. (Cantab.), Barrister-at-Law, with some criticisms and some comments by R. E. Dummett, Bencher of Gray's Inn, and Metropolitan Police Magistrate. Chapman & Hall, Ltd. 3s. 6d. net.

annexer of other people's property (which is *The Menace in Our Midst*) would have a very short shrift if the views of the author were put into practice. He would make the way of the youthful transgressor very hard and unpleasant ; in short, he would "larn the young divil."

The author would teach him that **CRIME DOES NOT PAY** (his caps) by awarding longer terms of imprisonment, by inflicting physical punishment, and by changing the present humane policy of giving the first offender another chance. And he would make it more difficult for the aforesaid young ruffian to escape the consequences of his unsocial acts by "vastly increasing our army of police in the same way that the army was increased in time of war."

Now all this appears, at first sight, to be very laudable and praiseworthy, especially when it is couched in language of graceful phrasing and with much literary charm, as Mr. Humphreys' writings always are. His views of crime and criminals represent a large body of opinion, regretful though that may be. It is suggested, however, that he is wrong. Mr. Humphreys does not stress the right facts and their proper implications ; crime and criminals, it is opined, are considered in their right perspective in the second part of this book by that experienced and large-hearted magistrate, Mr. R. E. Dummett.

The latter makes a courageous statement : "He (Mr. Humphreys) is in danger of becoming a pessimist. Now at the risk of being considered forthwith a Fool, no more to be read or tolerated, I hereby proclaim myself an enthusiastic and unrepentant Optimist."

The menace in our midst, as Mr. Dummett points

out so cogently and truly, is caused largely by unemployment, and the ease with which motor bandits and others of that ilk may escape the consequences of their crimes by the dangerous practice of leaving unattended and unprotected motor-cars in public places for long periods of time. If the public, as Mr. Humphreys properly says, has a right to be safeguarded from these youthful law-breakers, surely that same public has a duty not indirectly to encourage them by providing them with a safe and swift getaway from arrest by the police.

Has Mr. Humphreys ever considered this difficult problem from the point of view of the young lad who goes to work at fourteen and is turned adrift at sixteen because of the burden of unemployment insurance? Here again the public must take some responsibility for increasing the population of Borstal institutions, and for the menace in our midst.

Mr. Humphreys' view of prison life is interesting, but does not carry conviction. He says: "There are those who, on entering prison, are agreeably surprised at its comforts, and enjoy the mental restfulness which comes from a knowledge that one's food and lodging, clothing, warmth and even entertainment are provided free by the Government."

In fine, this is an interesting and thoughtful book, which should be read and digested by everyone concerned in the administration of criminal justice, especially judges, recorders and magistrates. Mr. Humphreys is stimulating and provocative; Mr. Dummett is humane and convincing. And Mr. Dummett, notwithstanding the fact that public opinion is against him, is right.

A MODERN HANGING

THE grim penalty of the law in cases of murder is expressed as follows :

“ The sentence of the Court upon you is, that you be taken from this place to a lawful prison and thence to a place of execution, and that you be there hanged by the neck until you be dead ; and that your body be afterwards buried within the precincts of the prison in which you shall have been confined before your execution. And may the Lord have mercy on your soul.”

The Prison Rules make the following provisions respecting prisoners under sentence of death :

“ Every prisoner under warrant or order for execution shall immediately on his arrival in the prison after sentence, be searched by or by the orders of the Governor, and all articles shall be taken from him which the Governor deems dangerous or inexpedient to leave in his possession. He shall be confined in a cell apart from all other prisoners, and shall be placed by day and by night under the constant charge of an officer. He shall be allowed such a dietary and amount of exercise as the Governor, with the approval of the Commissioners, may direct. The Chaplain shall have free access to every such prisoner, unless the prisoner is of a religious persuasion differing from that of the Established Church, and is visited by a minister of that persuasion, in which case the minister of that persuasion shall have free access to him. With

the above exception, no person, not being a member of the visiting committee or an officer of the prison, shall have access to the prisoner except in pursuance of an order from a Prison Commissioner or member of the visiting committee.

“ During the preparation for an execution, and the time of the execution, no person shall enter the prison unless legally entitled to do so.

“ A prisoner under sentence of death may be visited by such of his relations, friends, and legal advisers as he desires to see, and are authorised to visit him by an order in writing from a member of the visiting committee.

“ If any person makes it appear to a member of the visiting committee that he has important business to transact with a prisoner under sentence of death, that member may grant permission in writing to that person to have a conference with the prisoner.”

The sentence is carried out at Pentonville for prisoners north of the Thames and at Wandsworth for prisoners south of the Thames, and also for prisoners from Kent, Sussex, Surrey and part of Hampshire.

A modern execution is rather an operation than a ceremony. There is no drama or sensation ; it is a humane, expeditious operation which ends in instantaneous death. Less than twenty seconds elapses between the time when the condemned man leaves his cell and death.

During an execution, the prisoners are kept away from the scene and continue their ordinary work in the shops. No black flag is hoisted, there is no tolling of the death-bell, there is no formal procession of officials, and the prison clock is often stopped so that the other prisoners shall not know the actual time when

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the execution is taking place. The condemned prisoner is kept away from all the other prisoners. He has two large rooms assigned to him, one of which is a sort of bed-sitting-room and the other is used as a lavatory. From the time of his sentence he is kept under permanent observation by two officers, day and night.

On the arrival of the fatal morning, he is aroused at the hour he usually rises, dresses in his own clothes (finally discarding prison dress), has his last meal and sees the Chaplain. At 8 or 9 a.m., the executioner enters the condemned cell and quickly pinions the prisoner. The condemned man is supported on either side by two officers and is accompanied by the Governor, Deputy Governor, Sheriff, Chaplain and Medical Officer in a short walk of a few yards across the hall or grounds to the execution room or shed. The door of the execution room is flush with the wall and gives no indication of its purpose, design or existence.

The execution room consists of a moveable platform capable of being released by means of a lever worked by the executioner. Over this platform is a beam from which hangs the fatal rope. Two other ropes hanging from this beam are used by the officers, who stand on either side of the condemned man, for the purpose of steadying themselves when the platform disappears. The condemned man is led upon this platform, the noose is adjusted, and a white cap is placed over his face. When all is ready, a matter of a few seconds, the platform opens in two parts and the prisoner disappears below. Death is instantaneous. In order

A MODERN HANGING

to avoid any noise, cushions are provided so that when the two parts of the platform open, the action is almost noiseless.

Under the execution-room is a room used for providing a drop, the length of which depends upon the weight of the prisoner. After the man has disappeared, the Medical Officer then immediately descends to this room to ascertain that the man is dead. He is left hanging for an hour, after which the body is removed for the usual post-mortem and inquest, and it is subsequently buried in a grass-plot within the precincts of the prison. The only formality appears to be the putting up of the notice of death on the outside prison door.

A statutory rule provides that a notice shall be affixed outside the prison to the effect that an execution has been carried out. Apart from this, it seems that the notice merely encourages the assembly of a morbid crowd. The absence of such a notice would probably greatly diminish this unwelcome and unnecessary attendance, and might in time bring about the entire disappearance of these unwanted sightseers.

A modern execution is carried out somewhat in the same way as an ordinary hospital operation, without anyone being present whose attendance is not required by the operation, or by the requirements of law. The sensational accounts in the Press are things of the past with their imaginative, gruesome details, and now the only reference in the newspapers is the bare announcement that a certain person has been executed.

APPENDIX VI

NOTES ON IMPRISONMENT AND PUNISHMENTS

PRISONERS may be sentenced to :

- (a) Penal servitude ;
- (b) Imprisonment without hard-labour ; first, second, and third divisions ;
- (c) Imprisonment with hard-labour.

Convicted persons sentenced to penal servitude are usually termed “convicts” ; while those sentenced to imprisonment, with or without hard-labour, are called “prisoners.”

PENAL SERVITUDE

Prisoners sentenced to penal servitude are classified as either (a) “star class,” i.e. those not previously convicted, or not habitually criminal or of corrupt habits ; (b) “intermediate,” for first offenders, who, owing to their general character and antecedents, are not considered suitable for the star class, or for offenders previously convicted but not of grave or persistent crime ; (c) “recidivist class,” for those previously sentenced to penal servitude, or who have been guilty of grave or persistent crime.

Convicts with sentences of over four years may, by continuous industry and exemplary conduct, be admitted into the “special stage,” in which they may purchase articles of comfort or relaxation at the prison store, from a gratuity which may be earned. They may also be allowed to associate and converse at

exercise, at meals, and in the evenings ; and be given allotments to cultivate after prison labour has ceased.

A male convict by good conduct and industry may be released on licence when he has served three-fourths of his total sentence, a female convict when she has served two-thirds. In addition, female convicts under sentences of five years and upwards may, in certain cases, be specially licensed to Refuges nine months before the ordinary time for their release. In the case of life sentences, the ordinary rules as to remission do not apply, but each case is considered on its merits at intervals, and especially at the end of twenty years.

Release on licence is subject to conditions, on breach of which the licence may be forfeited or revoked, whereupon the convict becomes liable to serve the portion of his sentence which was unexpired at the date of his release.

IMPRISONMENT WITHOUT HARD-LABOUR

First Division.—The rules for this division correspond with the rules for the treatment of first-class misdemeanants made under the Prison Act, 1865, who are usually political rather than criminal offenders in the ordinary sense.

Second Division.—The rules for these prisoners constitute a modification of the ordinary prison treatment ; they are kept apart from other prisoners ; they wear a different dress ; and they are allowed more frequent letters and visits. It is impossible to define with precision the class of offenders who should properly be included in the second division ; but speaking generally, the criterion of a prisoner's fitness for this division is not the legal character of the offence, but the character and antecedents of the offender and the circumstances in which the offence

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was committed. As a great part of the value to a prisoner of inclusion in the second division is his separation from prisoners of the ordinary criminal class, it is important not to admit to it persons of habitually criminal life or of depraved character ; but whenever it is clear to the Court that a prisoner does not belong to the criminal class, and has not been generally of criminal habits, a special direction may properly be given for his treatment in the second division.

Third Division.—When no special order is made by the Court a convicted prisoner is placed in the third division and treated under the ordinary rules.

A prisoner sentenced to simple imprisonment is employed from the first day of his sentence on “ industrial labour,” and he may work either in his cell or in association.

IMPRISONMENT WITH HARD-LABOUR

If a male prisoner sentenced to imprisonment with hard-labour is under sixty and medically fit he is not allowed a mattress during the first fourteen days of his imprisonment ; otherwise there is no essential difference between imprisonment with and without hard-labour.

REMISSION OF SENTENCE

A prisoner sentenced to imprisonment for more than one month may, by industry and good conduct, earn a remission of a part of his sentence not exceeding one-sixth of the whole. The sentence is deemed to expire on the day when he is discharged, and the remission is therefore not conditional, as in the case of a sentence of penal servitude.

THE BORSTAL SYSTEM

To be eligible for training in a Borstal Institution a young offender must be between sixteen and twenty-one years of age, and it must appear to the Court that "by reason of his criminal habits or tendencies or association with persons of bad character, it is expedient that he should be subject to detention for such time and under such instruction and discipline as appears most conducive to his reformation and the repression of crime" (Prevention of Crime Act, 1908, s. 1).

The following are not considered as suitable for Borstal detention :

- (a) Young persons whose previous character is good and who might suffer more by association with recidivists and "hooligans" than they would gain by the special training.
- (b) Young persons who have already served a term in a Borstal Institution and failed to profit by it.
- (c) Ex-reformatory boys or girls where it seems impossible that further training will have any good effect. In fact, a number of this class do go to Borstal Institutions.
- (d) Aliens.

The sentence may be either for two or three years. Three years is preferable, and the majority of sentences are now of that length. The normal course of training lasts for two years, followed in the case of a three-year sentence by a year on licence. A licence can be granted after as short a time as six months in the case of a boy, and three months in

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that of a girl (Act of 1908, s. 5), but this is only done in exceptional cases. In practice the normal time served is about two years, but each inmate controls to some extent the date of his own discharge on licence, for his progress is periodically considered by an Institution Board (composed of officials of the Institution), and when they consider that his training is sufficiently advanced and his prospects of making an honest living are sufficiently good, his case is submitted to the Visiting Committee of the Institution, who may recommend the issue of a licence by the Prison Commissioners. If, after release, a boy or girl disregards the conditions of the licence, the latter may be revoked, and the holder returned to complete his sentence.

It is indispensable to any scheme for the reclamation of young criminals that there should be effective means of supervision and rehabilitation in honest life after discharge from the Institution. For the Borstal system this is provided by a voluntary association known as the Borstal Association (assisted by a considerable staff of agents and associates all over the country, paid and unpaid), which devotes much labour and care to the lads, visiting them whilst still in the Institution, arranging suitable employment for them against their discharge, advising and befriending them in their new situations in all parts of the country, and in every way possible encouraging them to take honourable places in the community.

A Borstal Institution is divided into houses, each in charge of a house-master, who is responsible to the Governor. The progress of each inmate is recorded by stages, each carrying with it special privileges ;

for serious misconduct an inmate may be placed in the penal grade, where he is segregated from others. The training—mental, physical, and vocational—is devoted to the formation of character and the fitting of the inmate on release for sound citizenship and useful employment.

HABITUAL CRIMINALS

A person shall not be found to be a habitual criminal unless the jury finds on evidence :

- (a) that since attaining the age of sixteen years he has at least three times previously to the conviction of the crime charged in an indictment been convicted of a crime, and that he is leading persistently a dishonest or criminal life ; or
- (b) that he has on such a previous conviction been found to be a habitual criminal and sentenced to preventive detention (Act of 1908, s. 10 (2)).

Where a person is convicted on indictment of a crime and subsequently the offender admits that he is or is found by the jury to be a habitual criminal, and the Court passes a sentence of penal servitude, the Court, if of opinion that by reason of his criminal habits and mode of life it is expedient for the protection of the public that the offender should be kept in detention for a lengthened period of years, may pass a further sentence ordering that on the determination of the sentence of penal servitude he be detained for such period not exceeding ten nor less than five years, and such detention is hereinafter referred to as preventive detention, and a person on